
Agenda

***Remainder of reports will be posted when they become available.**

1. Chair to call the Hearing to Order
2. Amendments/Additions to the Agenda
3. Declarations of Interest
4. Request for Withdrawal or Adjournment
102 Broadway, Consent, B-07/19SC – 60.84.2235, 102 Broadway, Minor Variance, A-19/19 – 60.81.5453, 2 Lakeside Drive, Minor Variance, A-20/19 – 60.81.5454

A request has been received from the Owner to extend the deferral for 3 months of the consent and minor variance applications that were approved at the May 29, 2019 in order to implement changes to the proposal based on discussions with the City Planner and make revisions to the applications to return to the Committee on January 29, 2020.

Item #2 48 Haynes Avenue, Minor Variance, A-13/17 – 60.81.5281

A request has been received from the owner to defer the application for 3 months to review the application with staff and allow for potential revisions.

Item #9 439 Merritt Street, Consent, B-46/19SC – 60.84.2273

A request has been received from staff to defer the application until December 11, 2019 as the application needs to be recirculated and to include the Ministry of Environment (MOE).

5. Adoption of the Minutes held
6. Application:
 1. 31 Victoria Street, Consent, B-33/19SC – 60.84.2260
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555
 3. 61 Merigold Street, Consent, B-43/19SC – 60.84.2270
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571
 4. 105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569
 5. 114 Lake Street, Consent, B-42/19SC – 60.84.2269
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576
 6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572
 7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574
 8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575
7. New Business:
8. Date of next Hearing: December 11, 2019
9. Adjournment

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

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

COMMENTS

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

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

**DATE OF HEARING:
October 30, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 24, 2019

Date of Meeting: October 30, 2019

Report Number: B-33/19SC
B-39/19SC
A-95/19
A-96/19
A-121/19

File: 60.84.2260
60.84.2266
60.81.5529
60.81.2230
60.81.5555

Subject: 31 & 33 Victoria Street and 31 Ridley Road

Recommendation Consent B-33/19SC

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

1. That the Owner dedicate to the City, free and clear of any encumbrances, a road allowance widening of 0.86 metres along the Victoria Street frontage of Parts 1 & 2 (31 & 33 Victoria Street). The Owner shall provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
2. That the Owner pay to the City the estimated cost to construct a future sidewalk along the Victoria Street frontage of Parts 1 & 2 (31 & 33 Victoria Street), the fee for which shall be in accordance with the City's current construction tender pricing average.
3. That the Owner pay the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing dwellings.
4. That the Owner complete, on private property, any relocation of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
5. That the Owner pay the City to complete, on public property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
6. That final approval of the concurrent minor variance applications be received by the Committee of Adjustment.
7. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of Part 1, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$210.80 payable to the Treasurer, City of St. Catharines.

9. That all conditions of consent shall be fulfilled by October 30, 2020.

Consent B-39/19SC

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

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

Variances A-95/19

That Application **A-95/19**, by Rodney Reimer and Rowan Reimer, as outlined in the revised Notice of Hearing, be approved.

Variances A-96/19

That Application **A-96/19**, by Rodney Reimer and Rowan Reimer, as outlined in the revised Notice of Hearing, be approved.

Variances A-121/19

That Application **A-121/19**, by Rodney Reimer and Rowan Reimer, as outlined in the Notice of Hearing, be approved.

Report

Background

The dwellings at 31 & 33 Victoria Street and the vacant lot at 31 Ridley Road were previously separate and distinct parcels. They were inadvertently merged in title by a series of transfers which culminated in 1982 when all three parcels were transferred into the common ownership of Ridley College. The property was subsequently transferred by Ridley College to Rodney Reimer and Rowan Reimer in 2002. The Applicants are now seeking to return the property to its previous composition of three lots, two with dwellings and one vacant. As part of the process, the Applicants also need to discharge the mortgage for the property to recognize that it will be three parcels once the severances are complete.

Consent Applications **B-33/19SC** and **B-39/19SC** and Minor Variance Applications **A-95/19**, **A-96/19**, and **A-121/19** were deferred from the September 25, 2019 hearing of the Committee of Adjustment at the request of the Applicants.

The Proposal

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

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

	<p>2. Application A-96/19 seeks relief from the Zoning By-law through an increase in the maximum lot area for a detached dwelling for Part 2 (33 Victoria Street) from 465 square metres to 642.3 square metres.</p>
	<p>3. Application A-121/19 seeks relief from the Zoning By-law through an increase in the maximum lot area for a detached dwelling for Part 3 (31 Ridley Road) from 465 square metres to 592.3 square metres.</p>

Location and Site Description

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

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

Part 1 of the subject property (31 Victoria Street) is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6/7 thereof. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 meters.

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

Zoning By-law (2013-283)

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

Planning Analysis

Consent

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

optimum development of the surrounding area. Provincial land use plans, as well as the City's Official Plan, promote opportunities for intensification and redevelopment where it can be appropriately accommodated. If done well, infill and intensification can improve existing neighbourhoods by bringing with it new life and vibrancy. The Garden City Plan supports a balanced approach to infill and intensification to ensure appropriate building site and streetscape design.

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

The Planning Act gives the Committee of Adjustment the authority to impose conditions on the approval of a consent, regardless of whether or not development is proposed, provided the conditions can be tied to relevant City policies (such as the Official Plan).

In the case of these Applications, staff believe it is prudent to impose conditions related to road allowance widenings and sidewalks given the subject lands' proximity to the future GO Transit station site and given the City's intent to reconstruct Ridley Road from Louth Street to Henrietta Street. Sidewalks exist along both Ambrose Street and Victoria Street but terminate just south of the subject lands. The requested cash-in-lieu of sidewalk payments would be used to offset the cost of filling the gaps in the Ridley neighbourhood sidewalk network.

Minor Variance

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

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

As demonstrated through the submitted sketch, each of the proposed lots are of appropriate size to support a detached dwelling. Parts 1 and 2 each have an existing detached dwelling, while Part 3 is vacant and intended for future residential development. Although the proposed lots are larger than what is permitted by the Zoning By-law, they allow for the existing dwellings to remain on site with appropriately sized yards to achieve compatibility. Staff note that there are a number of lots in the area that are of similar size. Further, the size of Parts 1, 2 and 3 will further align with the maximum lot area requirements of the Zoning By-law once the necessary road allowance widenings are

taken. Staff are satisfied that creation of the new lots will not result in adverse impacts on surrounding properties. Staff recommend that the requested variances be approved.

Conclusion

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

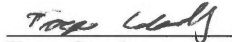
Having regard for the matters under Section 45 of *The Planning Act*, Staff are of the opinion that the variances requested through Applications **A-95/19**, **A-96/19** and **A-121/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable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

Prepared by:



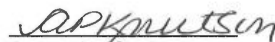
Sydney DiTomaso
Student Planner

Submitted by:



Tage Crooks
Planner I

Approved by:



Amanda Knutson
Planner II



Memorandum

To: Elaine Munro, Planning and Building Services

CC:

From: Jessica Button, Community, Recreation and Culture Services

Date: October 8, 2019

Subject: Committee of Adjustment Hearing – October 30, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **1429 Gregory Road, Minor Variance – A-122/18, 60.81.5411**
No comment
2. **31 & 33 Victoria Street & 31 Ridley Road**
No further comment.
3. **99 Queen Street, Consent, B-40/19SC – 60.84.2267**
97 Queen Street, Minor Variance, A-128/19 – 60.81.5562
99 Queen Street, Minor Variance, A-129/19 – 60.81.5563
No comment.
4. **38 Lloyd Street, Minor Variance, A-130/19 – 60.81.5564**
No comment.
5. **33 Cumming Street, Minor Variance, A-131/19 – 60.81.5565**
No comment.
6. **3 Highfield Avenue, Minor Variance, A-132/19 - 60.81.5566**
No comment.
7. **86 Park Avenue, Consent, B-41/19SC - 60.84.2268**
86 Park Avenue, Minor Variance, A-133/19 – 60.81.5567
39 Grove Avenue, Minor Variance, A-134/19 – 60.81.5568
CRCS in consultation with Municipal Works is not supportive of the removal of the boulevard tree located in front of 39 Grove Avenue. A tree protection zone with a minimum distance of 2.4 m from the trunk is required to be established with proper hoarding set up during the extent of construction. No grading, drainage, or servicing shall be permitted within 2.4m of the tree.

CRCS request that the following be included as a conditions of severance:

That the applicant enter into a Development Agreement with the City in order to ensure that the appropriate Tree Protection Sone is established and maintained thought construction, including servicing.

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

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

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

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

COMMENTS

A-135/19 (60.81.5569)

105 Vansickle Road

DATE OF HEARING:
November 27, 2019

Munro, Elaine

Subject: RE: St. Catharines - 105 Vansickle Rd N - A-135/19

From: LandUsePlanning@HydroOne.com <LandUsePlanning@HydroOne.com>

Sent: Monday, November 4, 2019 8:51 AM

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

Subject: St. Catharines - 105 Vansickle Rd N - A-135/19

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

Hello,

We are in receipt of your Plan of Condominium application, A-135/19 dated November 1, 2019. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**


For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at Subdivision@HydroOne.com or 1-866-272-3330.


To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map


MENU


HELP


SEARCH

Customers Affected:  >5000  501-5000  51-500



If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

This email and any attached files are privileged and may contain confidential information intended only for the person or persons named above. Any other distribution, reproduction, copying, disclosure, or other dissemination is strictly prohibited. If you have received this email in error, please notify the sender immediately by reply email and delete the transmission received by you. This statement applies to the initial email as well as any and all copies (replies and/or forwards) of the initial email

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

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

48 Haynes

105 Vansickle

14 Francesco

55 Powerview

From: Doug Crown <doug.crown@cogeco.com>

Sent: Friday, November 1, 2019 2:31 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

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

Hi Elaine

I was just thinking about you this morning.

Email - 1

Cogeco has no issues or concerns with these applications

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomaso, Planning Co-op Student

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

Date: November 22nd, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
105 Vansickle Road, A-135/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
No comment.

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



St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 6, 2019

Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-42/19SC (60.84.2269), A-136/19
(60.81.5570) & A-142/19 (60.81.5576)**

114 Lake Street

**DATE OF HEARING:
November 27, 2019**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 20, 2019

Date of Meeting: November 27, 2019

Report Number: B-42/19SC
A-136/19
A-142/19

File: 60.84.2269
60.81.5570
60.81.5576

Subject: 112 Lake Street & 114 Lake Street

Recommendation Consent

That Application **B-42/19SC** by Byeongung Yang and Hyekyeong An, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Owner pays the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing buildings.
2. That the Owner pays the City to complete, on public property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
3. That the Owner completes, on private property, any relocation of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
4. That the Owner dedicate to the City, free and clear of any encumbrances, a road allowance widening of 2.43 metres along the Lake Street frontage of Parts 1 & 2 (112 and 114 Lake Street). The Owner shall provide the City with a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
5. That the Owner dedicate to the City, free and clear of any encumbrances, a road allowance widening of 1.53 metres along the Lake Street frontage of Part 3 (112 Lake Street). The Owner shall provide the City with a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
6. That final approval of the concurrent minor variance applications be received by the Committee of Adjustment.
7. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of Part 1, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$210.80 payable to the Treasurer, City of St. Catharines.

9. That all conditions of consent be fulfilled by November 27, 2020.

Minor Variance

That Applications **A-136/19** and **A-142/19** by Byeongung Yang and Hyekyeong An, as outlined in the Notices of Hearing, be approved.

Report

The Proposal

The Applicant proposes a boundary adjustment to transfer the existing driveway and parking area currently associated with 114 Lake Street to the lands known as 112 Lake Street so that these elements will serve the commercial function of that site.

Accordingly, Application **B-42/19SC** is made for consent to partial discharge of mortgage and for consent to sever 106.9 square metres of land (Part 1), which will be added to the abutting southerly parcel of land (Part 3). A 243.9 square metre remnant parcel (Part 2) with an existing mixed use building (31.9 square metres of commercial gross leasable floor area [glfa] and one [1] apartment dwelling unit) would be retained. The existing and proposed lot descriptions and parking provisions are outlined below.

Address	Use	Required Parking	Existing	Proposed
112 Lake Street	36.9 m ² commercial glfa	2	0 (Part 3)	1 (Parts 1 & 3)
114 Lake Street	31.9 m ² commercial glfa and one apartment dwelling unit	2	1 (Parts 1 & 2)	0 (Part 2)

Concurrent Minor Variance Applications **A-136/19** and **A-142/19** seek relief from the provisions of the City of St. Catharines Zoning By-law 2013-283, as detailed in the chart below.

Application A-136/19 (Part 2) 114 Lake Street	Variance 1	A reduction of the required parking for an existing mixed use building from 2 parking spaces to 0 parking spaces.
Application A-142/19 (Part 1 & 3) 112 Lake Street	Variance 2	A reduction of the required parking for an existing commercial building from 2 parking spaces to 1 parking space.

Location and Site Description

The subject property is located on the east side of Lake Street, between Albert Street and Louisa Street. The property is surrounded by commercial development to the north, south, and west, and detached dwellings to the east.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Mixed Use on Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Use on Schedule E4 thereof. The existing commercial and residential uses on these lands are permitted.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Mixed Use (M1). The existing commercial and residential uses on these lands are permitted.

Planning Analysis

Consent

Section 16.11.3 of the GCP states that lot boundary adjustments may be considered, provided they contribute to appropriate infill, there is no development that would lead to significant expense to the City for public works, and that the size, shape and configuration of the parcel is appropriate for the use proposed.

The proposed lot sizes are in keeping with the general character of the surrounding neighbourhood, where lots vary in size and shape. No new development is proposed and therefore no impact will result from the proposed boundary adjustment. The consent will create a parking area for 112 Lake Street that fits wholly within the boundaries of that lot, where no vehicular parking has historically been provided on-site. Staff are satisfied that the proposed boundary adjustment is appropriate and desirable for the continued use of the commercial building at 112 Lake Street and the mixed use building at 114 Lake Street. Staff are supportive of the proposed consent, subject to the conditions outlined in the recommendation.

Minor Variance

Application A-136/19

Zoning By-law 2013-283 requires a minimum of one (1) parking space per 20 square metres of gross leasable floor area for service commercial or retail uses. No parking space is required for the first four (4) apartment dwelling units in a mixed use building. The existing mixed-use building comprises one commercial unit with a gross leasable floor area of 31.9 square metres and one apartment dwelling unit. The Applicant is requesting a reduction of the required parking for 114 Lake Street from two (2) spaces to zero (0) to facilitate the boundary adjustment.

Application A-142/19

Zoning By-law 2013-283 requires a minimum of one (1) parking space per 20 square metres of gross leasable floor area for service commercial uses. The existing dry cleaning business has a gross leasable floor area of 36.9 square metres. The Applicant is requesting a reduction of the required parking for 112 Lake Street from two (2) spaces to one (1) to facilitate the boundary adjustment.

Part C, Section 5.4.2 of the GCP states that the City may consider the reduction or elimination of vehicular parking requirements where, among other scenarios, transit is readily available and where bicycle parking facilities are provided. On-street parking is permitted along the east side of Lake Street, directly in front of the subject properties, and there are a number of transit stops and amenities within a five-minute walk (i.e. within 400 metres). Such amenities include a convenience store, restaurant, and pharmacy.

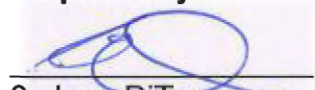
Staff notes that there is no net loss in the overall parking provision between the two properties (112 and 114 Lake Street); the reduction in parking will recognize that one existing parking space, which has historically served 114 Lake Street, will now serve 112 Lake Street. Given the availability of parking, transit, and other amenities within walking and cycling distance of the subject lands, and that there will be no net loss in parking, staff are recommending approval of Applications **A-136/19** and **A-142/19**. The variances requested are minor in nature, desirable for the appropriate use of the lands, and are in keeping with the general intent of the Official Plan and Zoning By-law.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-42/19SC** is compatible with the neighbourhood, consistent with the provisions of the Zoning By-law, and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

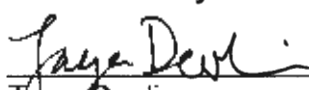
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-136/19** and **A-142/19** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the lands. Staff recommend approval accordingly.

Prepared by:



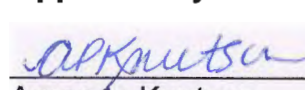
Sydney DiTomasso
Student Planner

Submitted by:



Taya Devlin
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 2

112-114 Lake Street

From: Doug Crown <doug.crown@cogeco.com>

Sent: Friday, November 1, 2019 2:33 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 2

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

Email - 2

Cogeco has no issues or concerns with these applications

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-42/19SC



November 15, 2019

ENGINEERING FILE 300-36

Hearing Date: November 27, 2019

Applicant: Byeongung Yang and Hyekyeong An

Location: 114 Lake Street

MUNICIPAL SERVICES

Lake Street

Water:	150mm P.V.C.
Sanitary Sewer:	300mm P.V.C.
Storm Sewer:	600mm
Sidewalks:	Yes
Curbs:	Yes
Road Allowance Width:	21.3m (70')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 on the Sketch Plan to be added to the abutting southerly parcel known as 112 Lake Street (Part 3) to add parking for an existing commercial use. A remnant parcel (Part 2) with the detached dwelling would be retained for continued commercial and residential use. The application would result in a boundary adjustment severance application between the two parcels of land.

Roads

Lake Street is designated an Arterial road in the City's Official Plan with a desired right-of-way width of 26.2m (86'). Its current width across the frontage of the subject property is 21.3m. The City previously obtained 2.43m (8') across 104 Lake Street in 1982, just south of the subject lands. The City shall therefore require a 2.43m (8') widening across Parts 1 & 2 and a 1.53m road widening across Part 3 be dedicated free and clear of encumbrances to be known as Public Highway Lake Street. Part 2 would be subject to an encroachment agreement to address the existing dwelling's front wood porch being within the future municipal right-of-way. The widening less than the 2.43m across Part 3 shall be obtained with the understanding that the full amount cannot be achieved through an existing building structure.

Municipal Services

The Owner shall pay to have City forces confirm that both the location and condition of the existing water services and sewer laterals to the existing dwellings do not cross any abutting and/or future lot lines. If

these services are determined to cross abutting and/or future lot lines or are shared, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit.

The Owner shall also pay the City the fee to install any new water service and/or sewer lateral, from the City owned main line sewer and watermain to the front property line, in order for each property to be serviced individually. Fees to complete this work are to be paid prior to the issuance of the building permit.

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

- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals on both private property and on the Corbett Avenue right-of-way; and
- Complete, if deemed necessary, any relocation of the sanitary lateral and/or water service on private property if the existing services cross existing or future side lot lines; and
- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property that may be required to eliminate services crossing existing or future side lot lines; and
- Provide the City a draft reference plan indicating the proposed widenings for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City, free and clear of any encumbrances, widenings along the frontage of the subject properties, to be known as Public Highway Lake Street

Prepared by:



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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomaso, Planning Co-op Student

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

Date: November 13th, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
86 Park Avenue & 39 Grove Avenue, A-133-134/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – November 27, 2019 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-43/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-44/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-45/19SC – 56 Maple Street

Comment:

- No Comment

Condition:

- No Comment

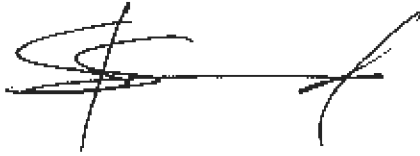
B-46/19SC – \$39 Merritt Street

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line and a final flourish.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
No comment.

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 6, 2019

Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-43/19SC (60.84.2270), B-44/19SC
(60.84.2271) & A-137/19 (60.81.5571)**

61 Merigold Street

**DATE OF HEARING:
November 27, 2019**

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 3

61 Merigold

From: Doug Crown <doug.crown@cogeco.com>
Sent: Friday, November 1, 2019 2:34 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 3

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

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

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



November 18, 2019

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

Attention: Elaine Munro

File# 60.84.2271, 60.81.5571 & 60.84.2270

Re: 61 Merigold St.

In response to your correspondence dated November 5, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

We would also like to stipulate the following:

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

Alectra Utilities Corporation

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

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

alectrautilities.com

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

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Jakubowski', with a large, sweeping loop at the end.

Mark Jakubowski
Supervisor, Design, Customer Capital

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-43-44/19SC



November 15, 2019

ENGINEERING FILE 300-36

Hearing Date: November 27, 2019

Applicant: 2706703 Ontario Inc.

Location: 61 Merigold Street

MUNICIPAL SERVICES

Lloyd Street

Water:	150mm P.V.C.
Sanitary:	250mm Concrete
Storm:	None
Sidewalks:	Yes
Road Allowance:	18.28m±

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

Comment(s): It is noted that the Owner proposes to sever Part 1 to be known as 57 Merigold Street, for the proposed construction of one-half of a semi-detached dwelling, Part 2 creating a new lot to be known as 59 Merigold Street for the purpose of severing one other half of the proposed semi-detached dwelling, so that both can be sold separately. A remnant parcel Part 3 with an existing detached dwelling would be retained for continued residential use.

Roads

Merigold Street is designated a Local road per the City's Official plan with a desired right-of-way width of 20.0m. Its current width is deficient at 18.28m, therefore, the City shall request a 0.86m road widening across Parts 1, 2 & 3 be dedicated to the City free and clear of any encumbrances to be known as Public Highway Merigold Street.

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

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities to connect to a piped storm sewer are available. Since a

storm sewer does not exist at this location on Merigold Street, the sump pump will be permitted to discharge to grade provided the discharge is to the front of the lot through the front foundation wall only. The location of discharge shall be shown on the lot grading and drainage plan. Rain water leaders (downspouts) shall be directed/discharged to the front and/or rear of the lot, in accordance with the applicable By-law. These must be identified on the submitted grading plan as well.

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

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate, trace, inspect and document the existing sewer and water laterals servicing the existing property; and
- If determined existing services conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay the City the fees to provide new water and sewer services to the individual property lines in order for each lot to be serviced individually; and
- Arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the Consent; and
- Provide the City a draft reference plan indicating the proposed 0.86m widening for review and approval, prior to registration of the plan in the Land Registry Office; and
- Dedicate to the City, free and clear of any encumbrances, 0.86m along the frontage of the subject property, to be known as Public Highway Merigold Street

Prepared by:



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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomasso, Planning Co-op Student

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

Date: November 13th, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
86 Park Avenue & 39 Grove Avenue, A-133-134/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – November 27, 2019 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-43/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-44/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-45/19SC – 56 Maple Street

Comment:

- No Comment

Condition:

- No Comment

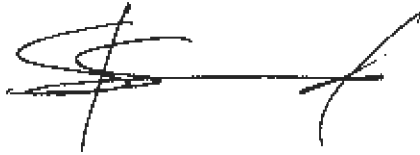
B-46/19SC – \$39 Merritt Street

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in black ink, appearing to read 'S. Sunderland', with a long horizontal stroke extending to the right.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273

No comment.

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

To: Elaine Munro
Committee Secretary & Planning Technician
Cc:
From: Steve Bittner
Transportation Technologist
Date: November 6, 2019
Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-138/19 (60.81.5572)

14 Francesco Crescent

DATE OF HEARING:
November 27, 2019

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 20, 2019

Date of Meeting: November 27, 2019

Report Number: A-138/19

File: 60.81.5572

Subject: 14 Francesco Crescent (to become 14, 16, 18 & 20 Francesco Crescent)

Recommendation

That Application **A-138/19** by Cairnwood Developments Inc., as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant is currently constructing a four-unit townhouse block on Francesco Crescent. To facilitate division of the block into four separate lots through an application for lifting of part lot control, Application **A-138/19** seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, to reduce the minimum density for Parts 1 and 4 on the submitted sketch from 20 units per hectare to 16 units per hectare.

Location and Site Description

The subject property is located on the southeast bend of Francesco Crescent, east of Nicholas Drive. The property is primarily surrounded by detached and townhouse dwellings.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E7 thereof. Townhouse dwellings are permitted at a density range generally between 20 and 32 units per hectare.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Townhouse dwellings are permitted.

Planning Analysis

Zoning By-law 2013-283 establishes a minimum density of 20 units per hectare for a townhouse dwelling in the R1 zone. The density provision of the By-law is meant to prevent underutilization of the finite supply of developable land in St Catharines.

Application **A-138/19** requests a reduction in the minimum density from 20 units per hectare to 16 units per hectare for the two end units of a four-unit townhouse block. The requested reduction is considerably minor in nature and will have no negative impact on neighbouring properties. Due to a number of other townhouse developments along Francesco Crescent, the proposal is an appropriate use of land and fits with the general character of the surrounding neighbourhood. Further, the Application provides for a balance of housing types, maximizing opportunity within the surrounding neighbourhood and aligning with Section 2.3.3 of the Official Plan. While the reduction in density could be interpreted as underutilization of residential development land, the fact that the townhouse block is currently under construction means there is no opportunity to reconfigure the layout to increase the density. The townhouse block has a density of approximately 20 units per hectare and met all other zoning requirements for issuance of the building permit. It is merely the act of dividing the block into four individual properties through the part lot control process that the lower density has become an issue. The proposed density is in keeping with the general intent of the Official Plan and Zoning By-law and staff are recommending approval of the Application accordingly.

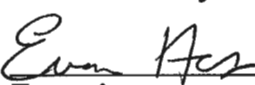
Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-138/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved.

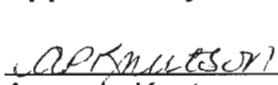
Prepared by:


Sydney DiTomasso
Student Planner

Submitted by:


Evan Acs
Planner I

Approved by:


Amanda Knutson
Planner II

November 18, 2019

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

Attention: Elaine Munro

File# 60.81.5572

Re: 14 Francesco Cres.

In response to your correspondence dated November 5, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

We would also like to stipulate the following:

- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.

Alectra Utilities Corporation

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

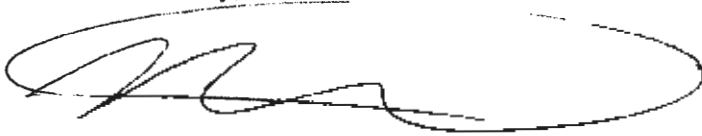
Hamilton 905 522 9200 | St. Catharines 905 984 8961 | tf 1 866 458 1236

alectrautilities.com

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

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

Sincerely,

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

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

48 Haynes
105 Vansickle
14 Francesco
55 Powerview

From: Doug Crown <doug.crown@cogeco.com>

Sent: Friday, November 1, 2019 2:31 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

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

Hi Elaine

I was just thinking about you this morning.

Email - 1

Cogeco has no issues or concerns with these applications

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomasso, Planning Co-op Student

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

Date: November 13th, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
86 Park Avenue & 39 Grove Avenue, A-133-134/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
No comment.

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

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 6, 2019

Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-45/19SC (60.84.2272), A-139/19
(60.81.5573) & A-140/19 (60.81.5574)**

56 Maple Street

**DATE OF HEARING:
November 27, 2019**

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 4 - Last Email

56 Maple Street

From: Doug Crown <doug.crown@cogeco.com>

Sent: Friday, November 1, 2019 2:36 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 4 - Last Email

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

Email - 4

Cogeco has no issues or concerns with these applications.

Have a great weekend

Thanks

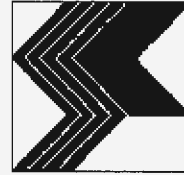
Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-45/19SC



Date: November 13th, 2019

Hearing Date: November 27th, 2019

Applicant: Allan Heywood

Location: 56 Maple Street

Development Engineering File: 300-36

MUNICIPAL SERVICES

Maple Street

Water:	150mm C.I.
Sanitary:	250mm Clay
Storm:	1500 Conc. (Relief Sewer)
Sidewalks & Curbs:	Yes
Road Allowance:	20m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 re-creating the lot known as 54 Maple Street with the existing single detached dwelling. A remnant parcel, Part 2 known as 56 Maple Street with the existing dwelling would be retained for continued use.

Roads

Maple Street, is designated as a Local Road in the City's Official Plan with a desired right-of-way width of 20m. The current width is approximately 20m and therefore a widening is not required at this time.

As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide a "safe, functional and attractive pedestrians and cycling environment". Sidewalks and curbs exist along the frontage of both sides of Maple Street at this point. Therefore, no further requirements are deemed necessary at this time.

Municipal Services

Given the age and of the municipal services in this part of St. Catharines, and previous experiences in this area with respect to the existing configurations of private services, the Owner shall be responsible to pay a fee for City crews to locate, trace, inspect and document the existing water services and sewer laterals for each of the dwellings, to confirm the services do not cross any re-created side lot line.

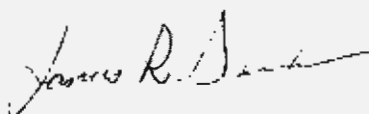
If any of the services are determined to conflict with the re-created lot line, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only Permit so such potential conflict will be avoided.

The Owner shall also pay the City, if deemed necessary by City staff, the applicable fees to relocate the existing service(s) or provide a new water service and/or sewer lateral to the front property line to avoid such side property line conflicts.

Condition(s):

Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate, trace, inspect and document the existing water services and sewer laterals servicing the 54 & 56 Maple Street and,
- If it is determined any existing service conflicts with the re-created lot line, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only Permit and the Owner shall also pay for City crews to relocate any portion of the existing service on City property.



Prepared by:

James R Denham, P.Eng.
Development Engineering Technologist



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomaso, Planning Co-op Student

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

Date: November 13th, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
86 Park Avenue & 39 Grove Avenue, A-133-134/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – November 27, 2019 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-43/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-44/19SC – 61 Merigold Street

Comment:

- No Comment

Condition:

- No Comment

B-45/19SC – 56 Maple Street

Comment:

- No Comment

Condition:

- No Comment

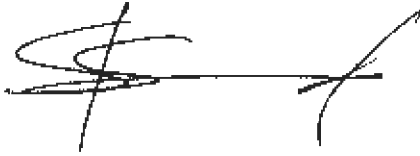
B-46/19SC – \$39 Merritt Street

Comment:

- No Comment

Condition:

- No Comment

A handwritten signature in black ink, appearing to be 'S. Sunderland', with a long horizontal stroke extending to the right.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
No comment.

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

To: Elaine Munro
Committee Secretary & Planning Technician
Cc:
From: Steve Bittner
Transportation Technologist
Date: November 6, 2019
Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-141/19 (60.81.5575)

55 Powerview Avenue

**DATE OF HEARING:
November 27, 2019**

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 18, 2019

Date of Meeting: November 27, 2019

Report Number: A-141/19

File: 60.81.5575

Subject: 55 Powerview Avenue

Recommendation

That Application **A-141/19** by Chantal Cleroux, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes to convert an existing detached dwelling to a duplex dwelling. To facilitate the proposal, Application **A-141/19** seeks relief from the Zoning By-law to allow for a reduction of the minimum lot area for a duplex dwelling from 560 square metres to 512 square metres.

Location and Site Description

The subject property is located on the southeast side of Powerview Avenue, south of Kinsley Street. The property is primarily surrounded by detached dwellings.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7 thereof. The Low Density Residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

Zoning By-law (2013-283)

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

Planning Analysis

Zoning By-law 2013-283 establishes a minimum lot area of 560 square metres for a duplex dwelling in the R2 zone. The minimum lot area requirement is intended to implement the City's residential intensification and density targets, while also ensuring the character of the established neighbourhood is respected. The provision also ensures that sufficient space for a building footprint, parking, and landscaping can be accommodated.

The Applicant is requesting a reduction of the minimum lot area from 560 square metres to 512 square metres in order to facilitate the conversion of the existing detached dwelling to a duplex dwelling. A duplex on these lands would result in a density of approximately 39 units per hectare, generally aligning with the density parameters prescribed in the Official Plan. Staff is of the opinion that the 48 square metre reduction in lot area is minimal; the proposed lot size already accommodates the building footprint, detached garage, outdoor amenity areas and the required two parking spaces. No building addition is required to accommodate the additional dwelling unit and therefore no adverse impacts on the surrounding area are anticipated. The additional dwelling unit is desirable as it will contribute to the City's housing supply through an efficient use of occupied lands.

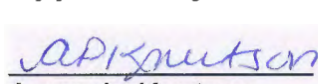
Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-141/19** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved.

Prepared and Submitted by:


Sydney DiTomaso
Student Planner

Approved by:


Amanda Knutson
Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

48 Haynes
105 Vansickle
14 Francesco
55 Powerview

From: Doug Crown <doug.crown@cogeco.com>

Sent: Friday, November 1, 2019 2:31 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 27/19 CofA Hearing - Email 1

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

Hi Elaine

I was just thinking about you this morning.

Email - 1

Cogeco has no issues or concerns with these applications

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Wilrik Banda, Planning Technician
Sydney DiTomasso, Planning Co-op Student

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

Date: November 13th, 2019

Hearing Date: November 27th, 2019

Subject: **Development Engineering - Minor Variance Applications**
31 & 33 Victoria Street & 31 Ridley Road, A-95-96 & 121/19SC
48 Haynes Avenue, A-113/17SC
112 & 114 Lake Street, A-136 & A-142/19SC
61 Merigold Street, A-137/19SC
14 Francesco Crescent, A-138/19SC
54 & 56 Maple Street, A-139 & 140/19SC
55 Powerview Avenue, A-141/19SC
86 Park Avenue & 39 Grove Avenue, A-133-134/19SC

We have no objection to the above noted applications, subject to the following conditions;

Regards,

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



Memorandum

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

Cc: Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen
Planning and Building Services

From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: November 7, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – November 27, 2019 hearing

NO.	ADDRESS	COMMENTS
A-113/17	48 Haynes Avenue	Be advised that reductions or an increase in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-135/19	105 Vansickle Road	No Comment
A-136/19	114 Lake Street	No Comment
A-142/19	112 Lake Street	No Comment
A-137/19	61 Merigold Street	No Comment
A-138/19	14 Francesco Cres.	No Comment
A-139/19	54 Maple Street	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-140/19	56 Maple Street	No Comment
A-141/19	55 Powerview Ave.	Be advised that a building permit is required for the conversion of a single detached dwelling to a duplex.

Steven Sunderland, A.Sc.T., CBCO
Building Inspector



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: November 5, 2019
Subject: Committee of Adjustment Hearing – November 27, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of October 30, 2019 and provides the following comments;

1. **31 Victoria Street, Consent, B-33/19SC – 60.84.2260**
33 Victoria Street, Consent, B-39/19SC – 60.84.2266
31 Victoria Street, Minor Variance, A-95/19 – 60.81.5529
33 Victoria Street, Minor Variance, A-96/19 – 60.81.5530
31 Ridley Road, Minor Variance, A-121/19 – 60.81.5555

No further comment.

2. **48 Haynes Avenue, Minor Variance, A-113/17 – 60.81.5281**
A minimum of 1.5m of landscaping is required between the driving aisle and the south lot line in order to sustain minimal landscaping. The proposed size it not able to support landscaping or provide an appropriate buffer between the site and adjacent uses. A reduction in the number of units would permit compliance with setback requirements, and maximize opportunities for front yard landscaping.

3. **105 Vansickle Road, Minor Variance, A-135/19 – 60.81.5569**

No comment.

4. **114 Lake Street, Consent, B-42/19SC – 60.84.2269**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
112 Lake Street, Minor Variance, A-142/19 – 60.81.5576

No comment.

5. **61 Merigold Street, Consent, B-43/19SC – 60.84.2270**
61 Merigold Street, Consent, B-44/19SC – 60.84.2271
61 Merigold Street, Minor Variance, A-137/19 – 60.81.5571

CRCS request that the following be included as a conditions of each severance:

That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

6. 14 Francesco Crescent, Minor Variance, A-138/19 – 60.81.5572

No comment.

**7. 56 Maple Street, Consent, B-45/19SC – 60.84.2272
54 Maple Street, Minor Variance, A-139/19 – 60.81.5573
56 Maple Street, Minor Variance, A-140/19 – 60.81.5574**

No comment with respect to the requested severance and variances. Front yard landscaping and parking areas should comply with the provisions of the by-law.

8. 55 Powerview Avenue, Minor Variance, A-141/19 – 60.81.5575

No comment.

9. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
No comment.

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



St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: November 6, 2019

Subject: Committee of Adjustment
Public Hearings – November 27, 2019

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

Steve Bittner
Transportation Technologist
SB/