CITY OF
ST. CATHARINES

Committee of Adjustment Public Hearing
December 11, 2019
Council Chambers, City Hall - 5:00 p.m.

Agenda
***remainder of reports will be circulated when received**

1. Chair to call the Hearing to Order

2. Amendments/Additions to the Agenda

3. Declarations of Interest

4. Request for Withdrawal or Adjournment

5. Request for Change of Conditions:

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

   A request has been received for a minor Change to Conditions:
   i) To delete condition 6

6. Adoption of the Minutes held on October 30, 2019 and November 27, 2019

7. Application:
   1. 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
      57 Merigold Street, Minor Variance, A-155/19 – 60.81.5590
      59 Merigold Street, Minor Variance, A-156/19 – 60.81.5591
   2. 439 Merritt Street, Consent, B-46/19SC – 60.84.2273
   3. 391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577
   4. 290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274
      284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
      290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   5. 13 Cross Street, Minor Variance, A-146/19 – 60.81.5580
   6. 15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581
   *7. 33 Arthur Street, Consent, B-48/19SC – 60.84.2275
      33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
      33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   8. 2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276
      2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
      4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585
   *9. 21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277
      19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
      21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   10. 35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588

8. New Business:

9. Date of next Hearing: January 29, 2020

9. Adjournment

St. Catharines

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

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

COMMENTS

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

61 Merigold Street

DATE OF HEARING: December 11, 2019

(Deferred from November 27, 2019 Hearing)

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 5, 2019 **Date of Meeting:** December 11, 2019

Report Number: **B-43/19SC** **File:** **60.84.2270**
B-44/19SC **60.84.2271**
A-137/19 **60.81.5571**
A-155/19 **60.81.5590**
A-156/19 **60.81.5591**

Subject: 61 Merigold Street (to become 57, 59 and 61 Merigold Street)

Recommendation

Consent Application B-43/19SC

That Application **B-43/19SC** by 2706703 Ontario Inc., as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
    a. That building permit plans, including elevation plans, be submitted to the satisfaction of the Director of Planning and Building Services, or her designate, addressing the following matters:
        i. That a minimum 7.5 metre front yard setback to the semi-detached dwelling be provided (such setback to be taken from the former front lot line [i.e. before the necessary road allowance widening has been transferred] to the front wall of the dwelling).
    b. That a grading plan be prepared by a qualified Ontario Land Surveyor satisfying the Director of Planning and Building Services, or her designate, that runoff from the subject lands can be conveyed to a suitable outlet without impacting abutting properties;
    c. That the driveway to be provided for Part 1 be located on the southerly half of the lot.
2. 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 buildings.
3. 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.
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 dedicate to the City, free and clear of any encumbrances, a road allowance widening of 0.86 metres along the Merigold Street frontage of Parts 1, 2 and 3. 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 the Owner submit a payment for the placement of a 60mm boulevard tree in front of Part 1 in accordance with the City's current Schedule of Rates and Fees.
7. That a payment of 5% of the appraised value of Part 1 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'. The appraisal shall be completed by a qualified appraiser.
8. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
9. 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.
10. That final approval of the concurrent Minor Variance Applications be approved.
11. That all conditions of consent be fulfilled by December 11, 2020.

Consent Application B-44/19SC

That Application **B-44/19SC** by 2706703 Ontario Inc., as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
    a. That building permit plans, including elevation plans be submitted to the satisfaction of the Director of Planning and Building Services, or her designate, addressing the following matters:
        i. That a minimum 7.5 metre front yard setback to the semi-detached dwelling be provided (such setback to be taken from the former front lot line [i.e. before the necessary road allowance widening has been transferred] to the front wall of the dwelling).
    b. That a grading plan be prepared by a qualified Ontario Land Surveyor satisfying the Director of Planning and Building Services, or her designate, that runoff from the subject lands can be conveyed to a suitable outlet without impacting abutting properties;
    c. That the driveway to be provided Part 2 be located on the southerly half of the lot.
    d. That any portion of the existing driveway historically associated with 61 Merigold Street be removed from Part 3 and the curb cut filled.
2. That spatial separation for the existing dwelling at 61 Merigold Street as it relates to the new lot line between Parts 2 and 3 be brought into compliance with the Ontario Building Code to the satisfaction of the Chief Building Official or his designate.

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 buildings.
4. 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.
5. 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.
6. That the Owner dedicate to the City, free and clear of any encumbrances, a road allowance widening of 0.86 metres along the Merigold Street frontage of Parts 1, 2 and 3. 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.
7. That the Owner submit a payment for the placement of a 60mm boulevard tree in front of Part 2 in accordance with the City's current Schedule of Rates and Fees.
8. That a payment of 5% of the appraised value of Part 2 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'. The appraisal shall be completed by a qualified appraiser.
9. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
10. 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.
11. That final approval of the concurrent Minor Variance Applications be approved.
12. That all conditions of consent be fulfilled by December 11, 2020.

Minor Variance

That Applications **A-137/19, A-155/19** and **A-156/19** by 2706703 Ontario Inc., as outlined in the respective Notices of Hearing, be approved.

Report

The Proposal

There is an existing one-and-a-half-storey detached dwelling on the southern portion of the subject lands known as 61 Merigold Street. The Applicant proposes to construct a two-storey semi-detached dwelling to the north, with each of the two units being situated on its own new lot. The existing detached dwelling would remain in situ on the remnant lot.

Accordingly, Applications **B-43/19SC and B-44/19SC** are made for consent to sever two 376.6 square metre parcels of land (Parts 1 & 4, and Part 2, respectively), creating two new lots to be known as 57 Merigold Street and 59 Merigold Street. Additionally, Application **B-43/19** is made for consent to an easement over part of 57 Merigold Street (Part 4) for access to and maintenance of the roofline of the dwelling unit to be constructed

on 59 Merigold Street. Ultimately, a 519.8 square metre remnant parcel (Part 3) would be retained for continued use of the existing detached dwelling.

Concurrent Minor Variance Applications **A-137/19, A-155/19** and **A-156/19** seek relief from the provisions of the City of St. Catharines Zoning By-law 2013-283 through the variances detailed in the table below.

Application	Variance #	Zoning Provision	Required	Proposed
A-137/19 (Part 3)	1	Maximium Lot Area for a Detached Dwelling	465 m^2	519.8 m^2
	2	Minimum Parking Space Depth	5.2 m	5.07 m
A-155/19 (Parts 1 & 4)	1	Maximum Front Yard	6.44 m (average)	7.5 m
A-156/19 (Part 2)	1	Maximum Front Yard	6.44 m (average)	7.5 m
	2	Minimum Setback from Interior Side Lot Line for a Platform Structure	1.2 m	0 m
	3	Maximum Encroachment into Required Yard for Eaves and Gutters	To within 0.15 m of the lot line	To within 0 m of the lot line

Location and Site Description

The subject property is located on the northeast side of Merigold Street, south of Chetwood 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 E6/7 thereof. Detached and semi-detached 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 – Traditional Neighbourhood (R2). Detached and semi-detached dwellings are permitted.

Background

Consent Applications **B-43/19SC** and **B-44/19SC** and concurrent Minor Variance Application **A-137/19** were deferred from the Committee of Adjustment hearing date of November 27, 2019. Prior to that hearing, staff identified additional variances required to

facilitate the Consents. Additional Minor Variance Applications **A-155/19** and **A-156/19** have since been submitted for consideration.

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. The Garden City Plan supports a balanced approach to infill and intensification to ensure appropriate building site and streetscape design.

Consent Applications **B-43/19SC** and **B-44/19SC** request to sever the subject property for the purpose of constructing a semi-detached dwelling on two newly-created lots to be known as 57 and 59 Merigold Street. The proposed lot geometry is in keeping with the general character of the surrounding neighbourhood, where lots have narrow widths, but are generally deep. Both new lots meet the zoning requirements for lot frontage and area. The proposed semi-detached dwelling also complies with the zoning requirements for minimum yards and lot coverage. Application **B-43/19SC** also seeks consent to create an easement over Part 4 to the benefit of 59 Merigold Street so that maintenance of the roofline and roofline elements can occur. Staff find that the proposal meets all relevant lot creation policies set out in Section 16.11.3 of the GCP; staff are supportive of the proposed consents, subject to the conditions outlined in the recommendation.

At its meeting of October 1, 2019, the Design Review Panel considered this proposal for a semi-detached dwelling on two new lots and recommended that "in order to improve neighbourhood fit and to mitigate the impacts of building scale, the front yard setback of the (semi-detached dwelling) be increased to the maximum front yard setback permitted in the Zoning By-law". At the request of staff, the Applicant has submitted Minor Variance Applications to increase the maximum front yard for both units of the semi-detached dwelling from 6.44 metres to 7.5 metres. The planning analysis for those variances is found further on in this report.

Minor Variance

Application A-137/19 – Variance 1

Zoning By-law 2013-283 establishes a maximum lot area of 465 square metres for a detached dwelling in the R2 zone. This requirement is intended to implement the City's residential intensification and density targets, while also respecting the character of the established neighbourhood.

Should Consent Applications B-43/19SC and B-44/19SC be approved, the retained parcel at 61 Merigold Street (Part 3) will have a lot size of 519.8 square metres, which is 54.8 square metres larger than what is permitted. It is the retention of the existing dwelling in its current location (setback 2.56 metres from the southerly lot line) that has dictated the size and density of the remnant parcel. At 19.23 units per hectare, the proposal is consistent with the density parameters outlined in the Official Plan, being generally between 20 and 32 units per hectare. Staff are satisfied that the 54.8 square metre

increase in lot area is minor in nature and will have no impact on the surrounding area. The variance will allow the existing dwelling to be retained in situ, which is desirable. Staff recommend that the variance be approved.

Application A-137/19 – Variance 2
Zoning By-law 2013-283 establishes the minimum size for a parking space, being 2.6 metres in width by 5.2 metres in depth. The Applicant is requesting to reduce the minimum depth from 5.2 metres to 5.07 metres so that a parking space can be provided in the front yard of the existing detached dwelling. The variance is necessary due to the 0.855 metre road widening that is to be dedicated to the City. Staff are satisfied that the 0.13 metre (5") reduction is minor in nature; there is sufficient room between the front wall of the dwelling and the municipal sidewalk to accommodate a parked vehicle. Staff recommend that the variance be approved.

Applications A-155/19 and A-156/19 – Variance 1
Zoning By-law 2013-283 establishes a maximum front yard setback of 6.44 metres for the proposed semi-detached dwelling, which is determined by averaging the front yard setbacks of the adjacent existing dwellings. A 0.75 metre grace is built into the provision to allow for some measure of flexibility. The intent of the averaging provision is to promote a consistent neighbourhood streetscape (i.e. so that no building is set significantly further ahead or behind other buildings on the street).

The Applicant is requesting an increase of the maximum front yard setback from 6.44 metres to 7.5 metres for each of the proposed semi-detached dwelling units. Staff are supportive of the proposed setback, as it will ensure that the proposed two-storey semi-detached dwelling does not overwhelm neighbouring homes or the street. A front porch will be provided on each of the units, each set back approximately 5.43 metres from the front lot line; this is consistent with the setback of the porch on the neighbouring dwelling to the north. In recognition of the requested 0.86 metre road widening dedication to be taken from both new lots and the retained lot, staff are recommending that the 7.5 metre setback be applied from the current front lot line (that being the front lot line prior to the road widening). Staff are satisfied that the proposed front yard setback will achieve a result that is superior to that which would otherwise result from complying with the By-law. Staff are recommending approval of Variance 1 of each of Applications A-155/19 and A-156/19.

Application A-156/19 – Variance 2
Zoning By-law 2013-283 establishes a minimum setback from an interior side lot line of 1.2 metres for platform structures, such as porches and decks. The provision is intended to ensure platform structures do not overwhelm the abutting yard and to maintain a degree of separation from neighbouring properties to mitigate safety, privacy, and overlook concerns.

The Applicant is requesting to reduce the required setback for the front porch associated with the proposed semi-detached dwelling on 59 Merigold Street so that the porch can be constructed against the common boundary between the two semi-detached dwelling units. The variance is required as a result of the creation of the new lot line and staff therefore considers the variance to be minor and administrative in nature. The front porch

will provide desirable amenity space. Staff are recommending that Variance 2 of Application **A-156/19** be approved accordingly.

Application A-156/19 – Variance 3
Zoning By-law 2013-283 provides that eaves and gutters may encroach into a required yard, but must be set back a minimum of 0.15 metres from the lot line. The provision is intended to ensure sufficient space is maintained for building maintenance and so that stormwater runoff from the roofline is wholly contained within the boundaries of a lot.

The Applicant is requesting to vary this requirement to 0 metres in order to accommodate the roofline, eaves and gutters associated with 59 Merigold Street, which elements will encroach marginally over the common lot line and onto 57 Merigold Street. Concurrent Application B-43/19SC seeks consent to create an easement over Part 4 to the benefit of 59 Merigold Street so that maintenance of the roofline and roofline elements can occur. Staff are satisfied that this approach satisfies the intent of the Zoning By-law and are recommending approval accordingly.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, Staff are of the opinion that Applications **B-43/19SC** and **B-44/19SC** are compatible with the neighbourhood, consistent with the provisions of the Zoning By-law, and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents to sever be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-137/19, A-155/19** and **A-156/19** 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 that the Applications be approved.

Prepared by:	**Submitted by:**	**Approved by:**
Evan Acs	Evan Acs	AKnutson
FOR Sydney DiTomasso	Evan Acs	Amanda Knutson
Student Planner	Planner I	Planner II

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 respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.

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

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

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

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

December 5, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11, 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 and 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

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

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/

Abraham and Diane Opdam
31 Arthur St. St. Catharines On.
L2M 1H1 [redacted]

Elaine Munro
Secretary-Treasurer
City of St.Catharines
Committee of Adjustments

Concerns to the proposed variances at 33 Arthur St.

We object to the application of a semi detached dwelling at 33 Arthur St. We understand the R1 zoning will be applied on this property. The elevation drawings indicate this structure To be 2 and a half stories to a height of 10 meters (32 feet) from ground level to the centre of the roof line. This height is not compatible with existing dwellings surrounding 33 Arthur St. And its neighborhoods. One of the reasons for us moving to Arhtur St. was the character of the street with it's one level dwellings. These proposals will change Arthur St. and it's neighbor-Hoods forever. Don't let this happen.

Another concern is drainage. The easement needed to get access to a garage from Arthur St. will diminish the size of the drainage ditch. The existing ditch has serviced #31..#33..#35 successfully to this date. Rain water flows from #29 Arthur St. through culverts to # 35 Arthur St. where it is collected at a grating and from there into the storm sewer system. I hope Proper surface drainage will be addressed during construction and at property re-instating time.

The houses on either side of 33 Arthur St. have block wall foundations. It is a concern when heavy equipment is used to raise the existing house and to dig a new foundation it could Cause damage to these block walls. I hope consideration is given to this concern.

Yours Truly...Abraham..Diane..Opdam

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

B-46/19SC (60.84.2273)

439 Merritt Street

DATE OF HEARING:
December 11, 2019
(Deferred from November 27, 2019 Hearing)

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 9, 2019 **Date of Meeting:** December 11, 2019

Report Number: **B-46/19SC** **File:** **60.84.2273**

Subject: 439 Merritt Street (3 Abbott Street)

Recommendation

That Application **B-46/19SC** by Trillium Railway Company, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner pay to the City the estimated cost of a future sidewalk along the Abbot Street frontage of the subject lands (being approximately 54.44 metres), the fee for which shall be in accordance with the City's current construction tender pricing average.
2. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
3. 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.
4. That all conditions of consent be fulfilled by December 11, 2020.

Report

Background

Application **B-46/19SC** was deferred from the November 27th, 2019 hearing of the Committee of Adjustment in order that the Ministry of Environment, Conservation and Parks (MECP) could be circulated for comment.

Application **B-46/19SC** follows previous Consent Application **B-18/11SC** (submitted for consideration in April of 2011), which was made for consent to sever 3,004 m^2 of land. The consent was granted and the severed parcel was subsequently added to the abutting lands to the east to facilitate development of the Merritton Mills plan of subdivision.

The Proposal

The Applicant, Trillium Railway Company, has declared surplus and wishes to sell a large swath of land that flanks its secondary branch rail line. To facilitate the sale, Application **B-46/19SC** is made for consent to sever approximately 54,383.32 m^2 of land (Part 1 on the submitted sketch, "the subject lands") creating a new parcel to be known as 3 Abbott Street. No development is proposed at this time. A 74,125 m^2 remnant parcel (Part 2) would be retained for continued use of the rail corridor.

Location and Site Description

The subject lands are located between Merritt Street/Hartzel Road and Oakdale Avenue, adjacent to the secondary branch rail line operated by Trillium Railway Company. The property is surrounded by a wide range and mix of uses, including employment, commercial, and residential uses. Clifford's Creek Park is located to the west.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands (Part 1) are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E9 thereof. The Medium Density Residential designation permits a range of residential uses at a density range generally between 25 and 99 units per hectare.

The remnant lands (Part 2) are designated Parkland and Open Space on Schedule E9 of the GCP; the existing rail line is permitted.

Zoning By-law (2013-283)

The subject lands (Part 1) are zoned Medium Density Residential, with a Holding Provision for environmental considerations (R3-H1). The R3 zone permits a variety of residential uses. The Holding Provision will remain in place and development will not occur until such time as the City and the MECP are satisfied that the lands are environmentally sound for the use proposed.

The remnant lands (Part 2) are zoned Minor Green Space and share the same Holding Provision (G2-H1) as the subject lands. The existing rail line is permitted.

Planning Analysis

Section 16.11.3 of the GCP states that consents to sever individuals parcels of land will only be permitted provided they contribute to appropriate infill, where there is no development that would lead to significant expense to the City for public works, and where the size, shape and configuration of the parcel is appropriate for the use proposed.

Application **B-46/19SC** is made for consent to create a new parcel of land approximately 54,383.32 m^2 in size. No new development is proposed at this time. The consent process is the first of several that are required to develop these lands; additional planning

approvals (e.g. draft plan of subdivision approval) are necessary before residential development can occur. Approval of this Application will facilitate the future environmental remediation and subsequent development of these vacant lands, thereby contributing to the accommodation of growth, as prescribed by the Garden City Plan. Staff are supportive of the proposed consent, subject to the conditions outlined in the recommendation.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-46/19SC** is timely, in the public interest, and consistent with the provisions of the Official Plan. As no development is proposed at this time, staff are satisfied that approval of the Application will not result in adverse impacts. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:

akknutson for:

Sydney DiTomasso
Student Planner

Approved by:

akknutson

Amanda Knutson
Planner II

Friday December 6, 2019

Elaine Munro
Secretary-Treasurer
Committee of Adjustment, City Hall
50 Church St.
St. Catharines, Ontario
L2R 7C2

Re Consent to Sever Lands - 439 Merritt St. St. Catharines file #60.84.2273

My name is Sandi Jones and I live at 116 Oakdale Ave. and while I do not want to hinder progress I would like to be on record to oppose the severance of said lands.

Given the past industrial activity that has taken place along this parcel of land and the abutting lands on hold with the Ministry Of The Environment at 112 Oakdale Ave., I would hope that someone will insist on the soil being tested before it is sold or developed.

This area has been known to have had a smoldering fire in the soil a number of years back that the firefighters had a challenging time extinguishing. What is in the soil to have caused this and could it happen again?

This site also contains Dycks Creek which flows at the end of Smythe St. and the last remaining natural greenland/wetlands in the area, which until recently was home to deer, coyotes, rabbits, owls and hawks.

We are the stewards of this land and it would be irresponsible of us to not do our due diligence when making a decision in regards to a parcel of land of this size.

I also would like some clarification on the location of Garner St. in St. Catharines.

Sincerely,

Sandi Jones

Munro, Elaine

Subject: RE: B-45/19SC (property at end of Smythe St

From: Sandra Kite < >
Sent: Thursday, December 5, 2019 11:04 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: B-45/19SC (property at end of Smythe St

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.

Morning: I'm writing this concerning Public Meeting on Dec 11..(which I cannot find file on web site)..I live at end of Smythe St..13 Smythe st...I have live at this property for about 12 yrs which I enjoy very much..There is a abundance of wildlife in field and bush..,.,This morning at 6am I spotted 2 deer in Clifford Creek Park ..at rear of my property...what and where are the deer appox. 5 deer and 2 fawns last spring going to go..this has been their home for many years...a beautiful site..release the stress and anxiety with in me..it would be nice st catharines leave this open green space..

This area is also contaminated as the paper mill use to dumped their product waste in field many years ago when they were operating on Merritt St ..also Clifford Creek and surrounding field use to be use as a dump back in the 30's or 40's until a new landfill is found,..,.,probalbly closed it in late 50's..early 60's..

I have a neighbour who has pictures of this area...also they's a natural Creek that has a oily substance, which I think came from the garages on Abbot St... runs thou beside my house..

If construction start I don't think my foundation or street can handle the pressure of trucks going back and forth. Also there a pathway at end of Smythe St that goes to Food Basics Wendy Timmy which is use by lot of residence. Also we have about 6 small children that plays regular outdoors ..(which is a rare sight to see these days in st catharines) riding their bikes , hockey... on sidewalk and roadway which I enjoy watching..Please do not open up Smythe St as I see it on the diagram

Thanks for taking the time to read this...

Sandra Kite
13 Smythe St (very end of road)
St Catharines

Re: Application B-46/19SC Cristina Soto 125 Oakdale Ave.

Concerns

The combined undeveloped lands of Clifton Creek Park and the Trillium provide a wide range of benefits to residents of the Merriton area, including recreational and health benefits and ecosystem goods and services (EGS).

People benefitting from these services are especially those living in the Merritton area bounded on two ends by Hartzel Rd and the 406, and on the other ends by Chestnut Ave or Oakdale Ave (where it meets Hartzel Rd.) and Lincoln Ave). For example, many dog owners walk to the park from areas further away than 60 m (including from the other side of the Historic Welland Canal (canal) and from closer to Westchester). As of a week ago, there were very few people within the 60 m range or elsewhere who knew of this Project Application for reasons outlined in a previous correspondence with Ms. Munro (see Appendix A). In addition, it is not clear to people who use this area where the park stops and starts and where the Trillium lands begin. I am sure I am not the only person who thought the park encompassed more of that land and who is or would be surprised by viewing the black and white aerial photo which I received from Ms. Munro (it superimposes Trillium lands onto the park).

Clifton Creek Park is a much-appreciated area for people and pets to recreate.

The combined Greenspace provides a buffer for noise and air pollution and a wildlife corridor (see below).

Specifically, the area has:

- a walking or running track with a *quiet* wide-open space that offers bright light and fresh air, as well as the chance to view a range of wildlife (for example, rabbits, raccoons, occasional deer, etc) and many species of birds including large raptors and songbirds
- a ball court which some local parents have been pushing to have repaired for many years

It is also:

- an important buffer to noise and air pollution (Appendix B)
- a wildlife corridor

The adjacent area owned by Trillium particularly, provides a diverse habitat of field, shrubs, a heritage apple tree, and forest for wildlife including birds, reptiles, amphibians (there are ephemeral ponds on these lands), some of which were named above. There is less and less habitat for wildlife within the City and this area functions as a wildlife corridor, potentially connecting to other nearby areas (including the trail along the canal, the St. Catharines Golf course and adjacent watersheds bounding area streams.

Air and noise pollution are rapidly increasing (see below). This area provides an oasis or buffer from these impacts for area residents, with related health benefits studied elsewhere.

There are many developments in the area at various stages including Merritton Commons, the planned development for 118 Oakdale Ave, the current construction already bordering on the

Oakdale entrance to the park, and development on other side of the canal. The future sale of this severed land would add yet another.

Air pollution in the area is mainly from vehicle traffic including from Highway 406 and from Oakdale Ave which has increasing traffic such that the smell of diesel and other fumes from fossil fuels is apparent at higher traffic times of the day.

Noise pollution is again mainly from vehicle traffic (as mentioned above) as well as from vehicles on smaller side streets and also includes:

- louder noise from buses and large trucks which are more common on Oakdale Ave and on the highway,
- very loud noise from increasing numbers of personal vehicles which have mufflers deliberately designed to generate this noise (for which the City should be enacting or enforcing appropriate bylaws as the owners of these vehicles are violating our right to peaceful enjoyment of our homes and neighbourhoods)
- lawns being mowed, leaf blowers, and other tools used by residents of many dwellings – all at different times of the day and evening.

The greater number of developments, the greater the noise and air pollution and resultant harm to health, if buffers are not provided in the form of distance and barriers such as vegetation to help absorb both sound and chemical and particulate pollution. St. Catharines has a tree program. I would hope the City would therefore support the retention of trees and forested areas as much as possible.

The extent of recent and planned development in the area necessitates an increase in additional greenspace.

I did not have time to research the ratio of mandated greenspace to developed areas in the City's bylaws, but as I drive around the City I see many neighbourhoods with much larger greenspaces/parks (e.g. Pelham Rd area parks; fields and greenspace by Club Roma; or the combined greenspace provided by fields, park and arboretum at Carleton between Niagara and Grantham).

Proposed Solution: The City purchases all or a portion of the severed lands

To add to the area greenspace, the City could purchase all or a portion of the severed lands, especially an area about half the length of the park extending from the end closest to "Flea Market lands". This would allow for the continued provision of the above-mentioned benefits and EGS. The remaining smaller portion, already covered by the exotic invasive species *Phragmites sp.,* could be available for development (with caution used to control the spread of this invasive plant).

Appendix A

Preamble to email: Ms. Munro called me back after receiving my phone message and email below. She offered explanations of The City's procedures with respect to Public Hearings. Unfortunately, those procedures *have not allowed for the affected people who live in the greater neighbourhood to be informed.* For example, Ms. Munro explained that had I lived 60 m away I would have received information about the Public Hearing by mail. However, many people who

use the park, including myself, live outside this very small area and will therefore be affected by the severance, sale and eventual development of the area.

November 18, 2019
Excerpt from email correspondence with Ms. Elaine Munro, Committee Secretary and Planning Technician

"Dear Ms. Munro,

...I also want to state that *none* of my neighbours that I have run into had seen the sign before I informed them about it. Most people use any of the other 3 entrances to this park. When I did notice the sign before the snow fell (and I was walking there most days) - my impression was that it was

- put up less than a full month in advance,
- it is in a place where almost no one will see it,
- and it is at a time of year when everyone is busy with pre-Christmas activities. For example, I am playing in a concert with Brock String Orchestra that night and it will be onerous [PS impossible since this item is the last on the agenda for the evening according to Ms. Munro] for me to attend.

The neighbours I have spoken to would all greatly appreciate an extension on when this meeting occurs, to January. We would also appreciate some additional information before attending the meeting so that we can be prepared for it. The poster says it is a public hearing for "evidence in favour or in opposition to the application" but if:

1. no one knows about the meeting and
2. no one knows about or understands the application (e.g. the map is not easy to read - not on the poster and not in the photograph I took of it),

then we cannot exercise our democratic right to participate in an informed way about something that will clearly affect our neighbourhood and lands that many of us use regularly..."

Appendix B

Air pollution includes harmful gases with obvious odours as well as those that lack an obvious smell (together including ozone, nitrous oxide, sulfur dioxide, carbon dioxide and carbon monoxide, and particulates etc.). Sample resources include:

https://www150.statcan.gc.ca/n1/pub/82-003-x/2017003/article/14781-eng.htm

This article on the role of urban trees in improving air quality:

https://www.sciencedirect.com/science/article/pii/S1618866717302182

City Planners are aware of the literature on health effects of air and noise pollution, but I would like to share the following sample resources with you:

Book: ***Environmental Noise Pollution: Noise Mapping, Public Health and Policy*** addresses the key debates surrounding environmental noise pollution with a particular focus on the European Union. Environmental noise pollution is an emerging public policy and environmental

concern and is considered to be one of the most important environmental stressors affecting public health throughout the world

https://www.science.org.au/curious/earth-environment/health-effects-environmental-noise-pollution

https://www.newyorker.com/magazine/2019/05/13/is-noise-pollution-the-next-big-public-health-crisis

Toronto's new noise bylaws:

https://www.cbc.ca/news/canada/toronto/toronto-new-noise-bylaws-1.5304084

Munro, Elaine

Subject: RE: 439 Merritt Street Revised Notice

From: Slattery, Barbara (MECP) <barbara.slattery@ontario.ca>
Sent: Tuesday, November 26, 2019 2:49 PM
To: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: 439 Merritt Street Revised Notice

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 Wilrik, here is the advice from our District Office:

- The property owner should be aware that lime waste is buried on the site and the Ministry will be approaching the current property owner to require that a Certificate of Requirement be registered on title making future potential property owners aware of this condition.
- In addition, the Ministry will be approaching the current property owner to request that additional work be conducted on the property to verify that contaminants from the property are not migrating off site nor causing an adverse effect or likely to cause an adverse effect.
- The Ministry will be approaching the current property owner to request that measures be taken to ensure that any waste lime material that is exposed to the elements is properly covered such that the lime material does not pose a risk to human health and the environment.
- The Ministry will be approaching the current property owner to request that measures be taken to secure the site so that members of the public are prevented from accessing the site.
- If the intention of the property owner is to redevelop the site to residential , parkland or institutional land use, the property owner will be required file a Record of Site Condition with the Ministry to demonstrate that the site is, or has been made suitable for the intended more sensitive land use.

Munro, Elaine

From:	Dunsmore, Susan <Susan.Dunsmore@niagararegion.ca>
Sent:	Monday, November 18, 2019 2:53 PM
To:	Munro, Elaine
Cc:	Development Planning Applications
Subject:	FW: CS-19-0081 - 439 Merritt Street _ Environmental Planning comments

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Hello Elaine

We have reviewed the consent for 439 Merritt Street and we will not be submitting formal comments so we will be returning the cheque for the consent. Our Environmental staff have noted the following for future applications.

Staff note that Significant Woodland and Important (Type 2) Fish Habitat is identified on and adjacent to the property. As such, we will provide comments related to environmental planning requirements when future planning applications are submitted.

If you require anything further please let me know.

Thank you

Susan M. Dunsmore, P. Eng.
Manager, Development Engineering
Planning and Development Services

Phone: (905) 980-6000 or 1-800-263-7215 ext 3661
Address: 1815 Sir Isaac Brock Way, Thorold ON, L2V4T7

Niagara Region

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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 2 - 905-19-420

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Tuesday, November 26, 2019 10:14 AM
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 - 905-19-420

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

Dear Elaine,

Re File:

- Severance
- B-46/19SC
- 439 Merritt Street
- Pt Lot 12 Conc 8 Grantham & 9; Pt Lots 75, 135-136 Corp Plan 6

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

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

Thank you,

Carrie Gordon

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

NIAGARA PENINSULA
CONSERVATION
AUTHORITY

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | [illegible]

November 04, 2019

Our File No.: PLCON201900919

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application for Consent, (Municipal File #: 60.84.2273, B-46/19SC)
439 Merritt Street

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

An application has been made to sever 54 383.32 square metres to facilitate the sale of the severed lands to be known as 3 Abbot Street. The retained lands will continue its current use as a rail corridor.

The subject lands are traversed by a small watercourse regulated by the NPCA. The NPCA does not have flooding concerns associated with the watercourse. The retained lands are impacted by a floodplain associated with Carter Creek. The consent, as proposed will not intersect or fragment the existing features or related development buffers on the subject property. As such, the NPCA has no objection to the approval of Consent Application B-46/19SC.

Future development of the retained or severed lands may be subject to the issuance of NPCA Work Permits in accordance with NPCA Policies.

I trust the information will be of assistance to you. Do not hesitate to contact me with any questions or concerns.

Yours truly,

Neil Stoop,
Watershed Planner
(905) 788-3135, ext. 248

Munro, Elaine

Subject: RE: 439 Merritt Street Revised Notice

From: Samantha Burke <samantha.burke@alectrautilities.com>
Sent: Tuesday, November 26, 2019 1:42 PM
To: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: 439 Merritt Street Revised Notice

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.

Good Afternoon Wilrik,

Our office has no objections/comments.

Thanks,
Samantha

alectra utilities
Discover the possibilities

Samantha Burke
Engineering Records Clerk
55 John Street North, Hamilton, ON, L8R 3M8
t 905.522.6611 ext. 2276
alectrautilities.com

From: Banda, Wilrik <wbanda@stcatharines.ca>
Sent: Thursday, November 21, 2019 9:49 AM
To: Mark Jakubowski <mark.jakubowski@alectrautilities.com>; Samantha Burke <samantha.burke@alectrautilities.com>
Cc: Munro, Elaine <emunro@stcatharines.ca>
Subject: 439 Merritt Street Revised Notice

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

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

REPORT TO PLANNING DEPARTMENT - REVISED
Re: CITY LAND DIVISION APPLICATION NUMBER B-46/19SC

December 9, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11, 2019

Applicant: Trillium Railway Co. Ltd

Location: 439 Merritt Street

MUNICIPAL SERVICES	**Abbot Street**	**Smythe Street**
Water:	150mm P.V.C.	200mm P.V.C.
Sanitary Sewer:	200mm P.V.C. West of property	200mm Conc.
Storm Sewer:	300mm	None
Sidewalks:	No (Ends at 1 Abbot)	No
Curbs:	Yes	No
Road Allowance Width:	20.12m±	15.24m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 on the submitted sketch to facilitate the sale of the severed parcel to be known as 3 Abbot Street. A remnant parcel (Part 2) would be retained for continued operation by Trillium Railway Co. Ltd and part of its operating corridor.

Roads

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

Curbs exist along this frontage of Abbot Street. As a condition of Consent, since an existing link at 1 Abbot Street connects to the Oakdale Avenue sidewalk, and the east limit of the frontage connects with recent development lands in the Merritton Mils subdivision, the City requires the Owner to make a cash contribution for the construction of a future sidewalk along the frontage of Abbot Street, completing the block connection to Oakdale Avenue and Ellis Avenue. The cash contribution will be based on the current construction average City tender pricing, at the time of payment. The current rate is $194.45/m^2 (2019). The required total amount shall be based on a 1.5m wide sidewalk along the total frontage length along Abbot Street of 54.44m.

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

- Pay to the City the estimated cost of a future sidewalk along the Abbot Street frontage of 54.44m, the fee in accordance with the City's current construction tender pricing average; and

Prepared by: _____
Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

A-143/19 (60.81.5577)

391 Glenridge Avenue

DATE OF HEARING: December 11, 2019

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - Last Email

From: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Sent: Monday, November 25, 2019 4:24 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - 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.

Hello Elaine,

We have now had the opportunity to review the applications for consideration at the December 11, 2019 Committee of Adjustment Meeting. Please be advised of the following:

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   - The subject property is outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on this property. The property is, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications submitted under the Planning Act.
   - The subject property is designated Urban Area in the NEP 2017.
   - We understand that the application seeks to recognize the existing duplex use and the following existing variances from the Zoning By-law:
     - A reduction of the minimum landscape buffer along the rear lot line from 3 metres to 1.4 metres
     - A reduction of the minimum landscape buffer along the interior side lot line where the lot has an exterior side yard on Glenridge Avenue from 3 metres to 1.4 metres.
     - An increase of the maximum dwelling unit size from 93 sq m to 150 sq m.
   - Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
   - The subject proposal is not proposing any changes to height that would have a visual impact and is not to encroach within Escarpment Natural Area. Therefore, there is no conflict with Development and Growth Objectives under Part 1.7.5.
   - Based on the above, NEC staff have no objection to Minor Variance Application A-143/19 provided it conforms with the Zoning By-law (the application to vary from the by-law is in fact minor in nature).

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274; 284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578; 290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579**
   - The subject properties (284 and 290 Glendale Ave) are outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on the properties. The properties are, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications under the Planning Act.
   - The subject properties are designated Urban Area in the NEP 2017.
   - We understand the applications seek a boundary adjustment between the two parcels of land through severing a parcel from 290 Glendale Ave., which will be added to 284 Glendale Ave. to accommodate a

building addition and expansion of the existing commercial plaza, subject to a blanket easement between the two properties. The two minor variance applications are required to facilitate the consent application and seek to (1) reduce the required landscaped buffers for properties with 20 to 100 parking spaces: abutting a public road; along the westerly property line; and along a shared property line at 284 Glendale Ave and (2) reduce the required landscaped buffer along a shared lot line at 290 Glendale Ave.

- ☐. Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
- ☐. Part 1.7.5 of the NEP lists Development Objectives that apply to growth and development within the Urban Area designation, including the following which apply to the subject applications:
    - Part 1.7.5.1 states that all development shall be compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development.
    - Part 1.7.5.2 states that Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions and work towards the long term goal of low-carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of green infrastructure and appropriate low impact development.
    - Part 1.7.5.9 states that growth and development in Urban Areas shall be compatible with and provide for… (e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate; (f) sustainable use of water resources for ecological and servicing needs; and (g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or sub watershed plans in land use planning.
- ☐. Based on the above, NEC staff have no objection to consent Application B-47/19, and Minor Variance Applications A-144/19 and A-145/19, provided that they conform with the Zoning By-law (the applications to vary from the by-law are in fact minor in nature) and the above noted Development Objectives.

3. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
    - ☐. The subject property is outside of Niagara Escarpment Commission Development Control and the Niagara Escarpment Plan (NEP) Area and therefore we have no comments.

Please let me know if you have any questions or require clarification on any of the above.

Sincerely,

Amaraine Laven, MES(Pl)
Senior Planner

Niagara Escarpment Commission
An agency of the Government of Ontario

232 Guelph Street | Georgetown, ON | L7G 4B1
Tel: 905-877-1763
Website: www.escarpment.org
Please let me know if you require communication supports or alternate formats.

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1

391 Glenridge
290 Glendale

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:37 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1

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

Hi Elaine

Email-1
Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

391 Glenridge
290 Glendale

From: Vasko, Dennis
Sent: Monday, November 18, 2019 8:08 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

Hi Elaine,

There are no concerns on our end.

Dennis

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

Memorandum

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

Cc: 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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

Memorandum

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

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

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 4, 2019 **Date of Meeting:** December 11, 2019

Report Number: **A-143/19** **File:** **60.81.5577**

Subject: 391 Glenridge Avenue

Recommendation

Minor Variance

That Variances 2 and 3 of Application **A-143/19** by Elizabeth Bitzer and Sarish Chopra, as outlined in the Notice of Hearing, be approved.

That Variance 1 of Application **A-143/19** by Elizabeth Bitzer and Sarish Chopra, as outlined in the Notice of Hearing, be denied.

Report

The Proposal

The Applicant is proposing to bring an existing duplex dwelling into compliance with the Zoning By-law. No new development is proposed. Accordingly, Application **A-143/19** seeks relief from the Zoning By-law through variances detailed in the table below.

Variance #	Zoning Provision	Required	Proposed
1	Landscape buffer along the rear lot line	3m	1.4m
2	Landscape buffer along the interior side lot line (where a lot has an exterior side yard on Glenridge Avenue)	3m	1.4m
3	Dwelling unit Size	93 m^2	150 m^2

Location and Site Description

The subject property is located on the southeast corner of Glenridge Avenue and Woodside Drive. 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 E8 thereof. A duplex is a permitted use at a density range generally between 20 and 32 units per hectare of land.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood with Special Provision 31 (R2-31). The existing duplex is permitted.

Planning Analysis

Variance 1

Special Provision 31 of Zoning By-law 2013-283 establishes a minimum 3.0-metre-wide landscape buffer along the rear lot line. The intent of the provision is to provide an adequate buffer between the student rental housing that lines Glenridge Avenue and the adjacent low rise homes located behind that corridor.

The Applicant is requesting to reduce the minimum landscape buffer from 3 metres to 1.4 metres, to bring the existing duplex into compliance. Staff note that Special Provision 31 clearly states that a duplex dwelling is required to provide either a 3.0-metre-wide landscape buffer along the rear lot line, *or*, a 3.0-metre-wide landscape buffer along the interior side lot line where a lot has an exterior side yard on Glenridge Avenue. Since the subject property does have an exterior side yard on Glenridge Avenue, it is the latter zoning requirement that applies, and not the former. The variance requested is therefore unnecessary and staff are recommending denial of Variance 1 accordingly.

Variance 2

As noted above, Special Provision 31 establishes a minimum 3.0-metre-wide landscape buffer along the interior side lot line where a lot has an exterior side yard on Glenridge Avenue. The Applicant is requesting to reduce the minimum landscape buffer from 3 metres to 1.4 metres in order to recognize the existing landscape buffers on the lot; no new works are proposed. Staff are satisfied that the existing contiguous tree line on the subject property coupled with the existing board fence on the adjacent property (393 Glenridge Avenue) provides sufficient separation and privacy between the existing driveway off of Glenridge Avenue and the neighbouring dwelling. Staff recommend approval of Variance 2 accordingly.

Variance 3

Special Provision 31 of Zoning By-law 2013-283 establishes a maximum dwelling unit size of 93 square metres. The provision is intended to maintain the low density residential character of the area.

The Applicant is requesting an increase in the maximum dwelling unit size from 93 square metres to 150 square metres to recognize the size of the existing duplex dwelling units. The duplex exists and no new development is proposed. As such, no new impacts are anticipated and staff are recommending approval of Variance 3 accordingly.

Conclusion

Staff note that Variance 1 of Application **A-143/19** is unnecessary and should be denied accordingly. Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Variances 2 and 3 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 that Variances 2 and 3 be approved.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso	Tage Crooks	Amanda Knutson
Student Planner	Planner I	Planner II

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

B-47/19SC (60.84.2274), A-144/19 (60.81.5578) & A-145/19 (60.81.5579)

284 & 290 Glendale Avenue

DATE OF HEARING: December 11, 2019

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 5, 2019 **Date of Meeting:** December 11, 2019

Report Number: **B-47/19SC** **A-144/19** **A-145/19**

File: **60.84.2274** **60.81.5578** **60.81.5579**

Subject: 284 Glendale Avenue and 290 Glendale

Recommendation

That Application **B-47/19SC** by Revel Realty Inc., as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. Pursuant to Section 50(12) of the *Planning Act*, it is hereby stipulated that Section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the Applicant will provide the Secretary-Treasurer of the Committee of Adjustment with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties (Parts 1 & 2) will be merged and become one parcel of land.
2. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
3. 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.
4. That final approval of the necessary Minor Variance Applications be received by the Committee of Adjustment.
5. That all conditions of consent be fulfilled by December 11, 2020.

That Applications **A-144/19** by 2596801 Ontario Inc. and **A-145/19** by Revel Realty Inc., as outlined in the Notices of Hearing, be approved, subject to the following condition:

1. That the Owner enter into a site plan agreement with the City of St. Catharines addressing such matters as the provision of landscaping.

Report

The Proposal

The Applicant proposes to demolish the existing commercial building at 284 Glendale Avenue to allow for an expansion of the commercial plaza at 290 Glendale Avenue onto 284 Glendale Avenue. The Applicant is choosing to keep the two properties under separate ownership at this time. To facilitate the proposal, Application **B-47/19SC** is made for a boundary adjustment to transfer 1,594.35 square metres of land (Part 2 on the

survey sketch) from 290 Glendale Avenue (now Parts 2 & 3) to 284 Glendale Avenue (Part 1). After this boundary adjustment, 284 Glendale Avenue will have a lot area of 2978.62 square metres and 290 Glendale Avenue will have a lot area of 4,124.54 square metres. The Application also seeks to establish a blanket easement, in perpetuity, over Parts 1, 2 and 3, for ingress and egress of vehicles and pedestrians; parking; utilities (including but not limited to hydro, gas, water and telecommunications); garbage collection; and required maintenance. The blanket easement will allow the two properties to function as one site without restriction or interruption. Concurrent Minor Variance Applications **A-144/19** and **A-145/19** seek relief from the City of St. Catharines Zoning By-law through the variances detailed in the table below.

Application	Variance #	Zoning Provision	Required	Proposed
A-144/19 (Parts 1 & 2)	1	Width of landscape buffer for a parking area with more than 20 parking spaces but fewer than 100 abutting a public road (north lot line)	3 m	1.5 m
	2	Width of landscape buffer for parking area with more than 20 parking spaces but fewer than 100 abutting public road (west lot line)	3 m	2.6 m
	3	Width of landscape buffer for parking area with more than 20 parking spaces but fewer than 100 not abutting public road (east lot line)	3 m	0 m
	4	Parking Requirement	46	22
A-145/19 (Part 3)	1	Width of landscape buffer for parking area with more than 20 parking spaces but fewer than 100 not abutting public road (west lot line)	3 m	0 m

Location and Site Description

The subject property is located on the southwest corner of Burleigh Hill Drive and Glendale Avenue. The property is surrounded by commercial development to the north and east, Highway 406 to the west, and an elementary school to the south.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Commercial on Schedule D1 of the Garden City Plan (GCP) and further designated Community Commercial on Schedule E9 thereof. The existing and proposed commercial uses are permitted on these lands.

Zoning By-law (2013-283)
The subject property is zoned Community Commercial with Special Provision 112 and Holding Provision 17 (C2-112-H17). The existing commercial use is permitted on these lands. Special Provision 112 restricts building height to 16 metres while Holding Provision 17 requires a visual impact assessment for buildings exceeding 14 metres in height and located below the escarpment, to the satisfaction of the Niagara Escarpment Commission. The existing and proposed uses and buildings are in keeping with zoning regulations.

Planning Analysis

Consent

Part F, Section 16.11.3 of the GCP states that consents to sever, including lot boundary adjustments, 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. The Garden City Plan supports a balanced approach to infill and intensification to ensure appropriate building site and streetscape design.

Consent Application B-47/19SC is requesting to adjust the lot boundaries between 284 and 290 Glendale Avenue to facilitate an addition to the west side of the existing plaza at 290 Glendale Avenue, which addition will be entirely situated within the new boundaries of 284 Glendale Avenue. Blanket easements are being requested over all of the lands to permit the site to function as one entity. As is required by the Ministry of Transportation, the existing entrance to 284 Glendale Avenue must be closed due to its proximity to the Highway 406 and Glendale Avenue interchange. The proposed boundary adjustment is desirable as it leads to intensification and repurposing of commercial lands along a Regional arterial road. Staff finds that this Application meets relevant Official Plan policies and recommend approval, accordingly.

Minor Variance

Variances 1 and 2 of Application A-144/19
Zoning By-law 2013-283 requires that a minimum 3.0-metre-wide landscape buffer be provided between a parking area with 20 to 100 parking spaces and the adjacent lot line, where the lot line abuts a public road. The intent of the provision is to ensure adequate screening of the parking area, which results in an appropriate transition between the public and private realms.

The Applicant is requesting a reduction of the minimum width of the landscape buffer from 3 metres to 1.5 metres along Glendale Avenue. The Applicant has demonstrated that a 3 metre landscape buffer can be accommodated along the majority of the Glendale Avenue frontage; the area reduced to 1.5 metres only constitutes about 6 metres of the entire frontage. The reduction will facilitate the configuration of the parking area, where extra space is required to accommodate vehicles maneuvering in the northwest corner of the site.

The Applicant is further requesting a reduction of the minimum width of the landscape buffer along the westerly lot line from 3 metres to 2.67 metres. The Notice of Hearing for

Application A-144/19 erroneously refers to the western lot line of 284 Glendale Avenue as a lot line not abutting a public road, whereas the westerly lot line abuts the off-ramp from Highway 406 to Glendale Avenue. Despite this, the variance is still necessary to reduce the minimum width of a landscape buffer. The variance would facilitate the installation of a landscape buffer where one has historically not existed, more closely complying with the Zoning By-law.

Staff are satisfied that the requested reductions are minimal enough so as to ensure adequate screening of the parking areas and that no measurable impact on the interface between the public and private realms will result. The property is subject to site plan control, through which process staff will ensure that the proposed buffer along Glendale Avenue will include enhanced landscaping materials. Staff are of the opinion that the requested variances 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. Staff are recommending approval of Variances 1 and 2, accordingly.

Variance 3 of Application A-144/19 and Variance 1 of Application A-145/19
Zoning By-law 2013-283 requires that a minimum 3.0-metre-wide landscape buffer be provided between a parking area with 20 to 100 parking spaces and the adjacent lot line, where the lot line does not abut a public road. The intent of the provision is to ensure an appropriate transition between neighbouring land uses that provides screening of vehicles and breaks up large areas of asphalt.

The Applicant is requesting a reduction of the minimum landscape buffer width from 3 metres to 0 metres along the common lot line (the eastern lot line for 284 Glendale Avenue and the western lot line for 290 Glendale Avenue). The subject properties will be used and will function as one site, with easements created for ingress and egress of vehicles and pedestrians, parking, and utilities. Since the parking lots on each property will function as one larger parking lot shared between the two properties, no landscape buffer can be installed. Staff are satisfied that no measureable impact will result from the absence of a landscape buffer in this location; it would facilitate efficient use of the parking area to the benefit of both parcels. Staff are of the opinion that the requested variance is minor in nature, desirable for the appropriate use of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of Variance 3 of Application A-144/19 and Variance 1 of Application A-145/19.

Application A-144/19 – Variance 4
Zoning By-law 2013-283 establishes a minimum parking requirement of one parking space per 20 square metres of gross leasable floor area for service commercial or retail uses. Additionally, the Ministry of Transportation (MTO) establishes a 14 metre buffer between a highway and a parking area, where any parking space located within this buffer cannot be counted towards required parking.

The proposed commercial building at 284 Glendale Avenue has a gross leasable floor area of 883.21 square metres, which results in a parking requirement of 44 spaces. There are 17 spaces within the required MTO buffer and two additional spaces that could not function without accessing the MTO buffer. The Applicant has physically provided the parking spaces required by the Zoning By-law, however, the variance is necessary to recognize the technical deficiency regarding those spaces which are affected by the MTO

buffer. Staff note that there is no net loss in the overall parking provision and that no measurable impact is anticipated from the reduction. Staff are of the opinion that the variance requested is minor in nature, desirable for the appropriate use of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of Variance 4.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-47/19SC** 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-144/19** and **A-145/19** 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 that the Applications be approved, subject to the conditions outlined in the recommendation.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso	AP Knutson for:	AP Knutson
Student Planner	Evan Acs	Amanda Knutson
	Planner I	Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - Last Email

From: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Sent: Monday, November 25, 2019 4:24 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - 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.

Hello Elaine,

We have now had the opportunity to review the applications for consideration at the December 11, 2019 Committee of Adjustment Meeting. Please be advised of the following:

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   - The subject property is outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on this property. The property is, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications submitted under the Planning Act.
   - The subject property is designated Urban Area in the NEP 2017.
   - We understand that the application seeks to recognize the existing duplex use and the following existing variances from the Zoning By-law:
     - A reduction of the minimum landscape buffer along the rear lot line from 3 metres to 1.4 metres
     - A reduction of the minimum landscape buffer along the interior side lot line where the lot has an exterior side yard on Glenridge Avenue from 3 metres to 1.4 metres.
     - An increase of the maximum dwelling unit size from 93 sq m to 150 sq m.
   - Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
   - The subject proposal is not proposing any changes to height that would have a visual impact and is not to encroach within Escarpment Natural Area. Therefore, there is no conflict with Development and Growth Objectives under Part 1.7.5.
   - Based on the above, NEC staff have no objection to Minor Variance Application A-143/19 provided it conforms with the Zoning By-law (the application to vary from the by-law is in fact minor in nature).

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274; 284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578; 290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579**
   - The subject properties (284 and 290 Glendale Ave) are outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on the properties. The properties are, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications under the Planning Act.
   - The subject properties are designated Urban Area in the NEP 2017.
   - We understand the applications seek a boundary adjustment between the two parcels of land through severing a parcel from 290 Glendale Ave., which will be added to 284 Glendale Ave. to accommodate a

building addition and expansion of the existing commercial plaza, subject to a blanket easement between the two properties. The two minor variance applications are required to facilitate the consent application and seek to (1) reduce the required landscaped buffers for properties with 20 to 100 parking spaces: abutting a public road; along the westerly property line; and along a shared property line at 284 Glendale Ave and (2) reduce the required landscaped buffer along a shared lot line at 290 Glendale Ave.

- Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
- Part 1.7.5 of the NEP lists Development Objectives that apply to growth and development within the Urban Area designation, including the following which apply to the subject applications:
  - Part 1.7.5.1 states that all development shall be compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development.
  - Part 1.7.5.2 states that Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions and work towards the long term goal of low-carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of green infrastructure and appropriate low impact development.
  - Part 1.7.5.9 states that growth and development in Urban Areas shall be compatible with and provide for... (e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate; (f) sustainable use of water resources for ecological and servicing needs; and (g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or sub watershed plans in land use planning.
- Based on the above, NEC staff have no objection to consent Application B-47/19, and Minor Variance Applications A-144/19 and A-145/19, provided that they conform with the Zoning By-law (the applications to vary from the by-law are in fact minor in nature) and the above noted Development Objectives.

3. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   - The subject property is outside of Niagara Escarpment Commission Development Control and the Niagara Escarpment Plan (NEP) Area and therefore we have no comments.

Please let me know if you have any questions or require clarification on any of the above.

Sincerely,

Amaraine Laven, MES(Pl)
Senior Planner

Niagara Escarpment Commission
An agency of the Government of Ontario

232 Guelph Street I Georgetown, ON I L7G 4B1
Tel: 905-877-1763
Website: www.escarpment.org
Please let me know if you require communication supports or alternate formats.

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December 3, 2019

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

Attention: Elaine Munro

File# 60.81.5578, 60.84.2274 & 60.81.5579

Re: 284 and 290 Glendale Ave

In response to your correspondence dated November 19, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- 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:

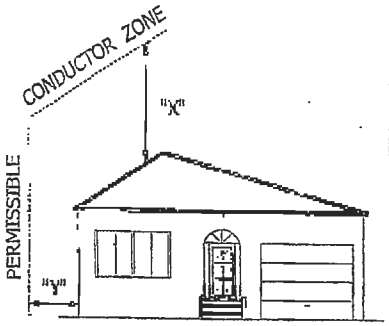
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

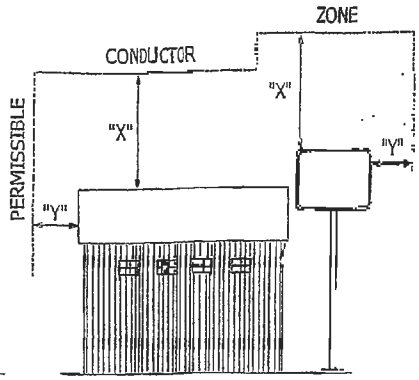
We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-522-6611 ext: 4729 in our Engineering Design Department.

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

CERTIFIED
Regulation 22/04





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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon UTILITIES Looking beyond...

DRAWING STATUS	BY	DATE DD/MM/YY
REDRAWN:	JM	12/06/07
CHECKED:	ND	26/04/05
APPROVED:	CR	25/04/05

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING # 3-105 | SHEET# 1 | REVISION# 0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1 - 905-19-430

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Tuesday, November 26, 2019 10:19 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1 - 905-19-430

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Dear Elaine,

Re File:

- Boundary Adjustment
- B-47/19SC
- 290 Glendale Avenue
- Pt Lot 13 Conc 10

Subsequent to review by our local Engineering Department of the above noted lands, it has been determined that Bell Canada has no concerns or objections with the proposed Application. Please note Bell does have entry cable as shown on the sketch below which will require locates should construction occur within the Burleigh Hill Dr access point area.

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

Thank you,

Carrie Gordon

Bell

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1

391 Glenridge
290 Glendale

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:37 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 1

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Hi Elaine

Email-1
Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

391 Glenridge
290 Glendale

From: Vasko, Dennis
Sent: Monday, November 18, 2019 8:08 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

Hi Elaine,

There are no concerns on our end.

Dennis

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

Memorandum

To:	Elaine Munro, Committee Secretary & Planning Clerk Planning and Building Services
Cc:	Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen Planning and Building Services
From:	Steven Sunderland, Building Inspector Planning and Building Services
Date:	November 26, 2019
Subject:	Building Comments on Applications to the Committee of Adjustment **Consents – December 11, 2019 hearing**

B-47/19SC – 290 Glendale Avenue

Comment:

- Be advised that a building permit is required for the proposed addition.

Condition:

- No comment

B-48/19SC – 33 Arthur Street

Comment:

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

Condition:

- Be advised that demolition permits are required for the single detached dwelling and detached garage and must be completed prior to the issuance of a permit for the semi-detached dwelling.

B-49/19SC – 2 Campbell Avenue

Comment:

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

Condition:

- No Comment

B-50/19SC – 21 Adelene Crescent

Comment:

- No Comment

Condition:

- No Comment

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-47/19SC

December 5th, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11th, 2019

Applicant: Upper Canada Planning & Engineering Ltd. (Craig Rohe)

Location: 284/290 Glendale Avenue

MUNICIPAL SERVICES AVAILABLE

Water:	Yes
Sanitary Sewer:	Yes
Storm Sewer:	Yes
Sidewalks:	Yes
Curbs:	Yes
Road Allowance Width:	Regional Roads

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

Comment(s): It is noted that the Applicant proposes have a boundary adjustment boundary adjustment between by adding Part 2 to Part 1, while retaining Part 3 so that the proposed new building will be kept separate from the proposed addition. Both resulting new properties will have frontage on Glendale Avenue (Regional Road #89)

Roads

Glendale Avenue is designated as a Regional Arterial Road in the Garden City Plan (The City's Official Plan) with a desired right-of-way width of 26m. Its current width across the frontage of the subject properties exceeds this. Any conditions related to the right-of-way width or other road related comments would fall under the Region's jurisdiction. The MTO should also be consulted as this property is within the limits of their right-of-way corridor.

Municipal Services

The servicing and grading for these properties are being dealt with through the Site Plan Approval process.

Condition(s): **None**

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 DiTomasso, Planning Co-op Student

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

A-146/19 (60.81.5580)

13 Cross Street

DATE OF HEARING: December 11, 2019

11 Cross Street
St. Catharines ON
L2R-2W4
Dec. 09th /2019

Elaine Munroe - Secty Treasurer
Committee of Adjustment, City Hall
P.O. Box 3012
50 Church Street
St. Catharines ON L2R-7C2

RECEIVED
DEC 09 2019
BUILDING SECTION

Dear Ms./Mrs. Munroe:

The property owners of 11 Cross Street named below, strongly object to Number 13 Cross being converted into a tri-plex dwelling, for several legitimate reasons.

The distance between these two properties is a mere four feet, and previous tenants have caused damage to our rear siding by moving various items in and out. Four feet is a limited amount of space to be used for moving household articles. Adding new tenants just compounds the existing problem of renters coming and going, and causing further potential damage to our home.

Parking is also problematic on our small street. Most tenants usually own two vehicles, but are provided only one parking spot due to lack of limited space, by the owners of this building. The rear tenants of 13 Cross are designated a small parking area in front of the apt. which causes them to park extremely close to the corner of our property, causing siding damage once again.

Page Two:

Many home owners on Cross Street have little or no space to accommodate visitors, so adding a tri-plex at number 13 is of major concern to us all, and will be causing a huge headache for the residents who live here.

Please take into consideration our concerns in reference to number 13 Cross Street, and do not change the status of this dwelling.

Thank you!

Most sincerely,

Joy M. Campbell (Home owner) [redacted] (Jane)
11 Cross Street Ph: [redacted]
St. Catharines, Ont
L2R-2W4

Iris M. Johnson (Home owner) [redacted] (Irmj
11 Cross Street Ph: [redacted]
St. Catharines, Ont
L2R-2W4

File Number: 60.81.5580
Submission Number: A-146/19

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 5, 2019 **Date of Meeting:** December 11, 2019

Report Number: **A-146/19** **File:** **60.81.5580**

Subject: 13 Cross Street

Recommendation

That Variance 1 of Submission **A-146/19** by Keisa Kuniecki and Robert Kuniecki, as outlined in the Notice of Hearing, be denied, and that a minimum lot area of 367 square metres be approved instead; and

That Variance 2 of Submission **A-146/19** by Keisa Kuniecki and Robert Kuniecki, as outlined in the Notice of Hearing, be denied, and that a minimum lot frontage of 11.1 metres be approved instead; and

That Variance 3 of Submission **A-146/19** by Keisa Kuniecki and Robert Kuniecki, as outlined in the Notice of Hearing, be approved; and

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

1. That the existing driveway be modified to comply with the Zoning By-law, including that it be maintained with a hard surface; that it cover not more than 50% of the front yard; and that its width not exceed more than 50% of the width of the front yard.

Report

Background

Application **A-146/19** follows a previous Application for Zoning By-law Amendment (File No. 60.35.923), which was submitted for consideration in November of 2007. The Applicant proposed to construct a three-storey triplex dwelling, but subsequently withdrew the Application.

Application **A-146/19** also follows previous Minor Variance Application **A-41/08**, which was submitted for consideration in April of 2008. Application **A-41/08** was made to facilitate the construction of a semi-detached dwelling through the following variances:

1. a reduction of the minimum lot frontage from 14 metres to 11 metres;
2. a reduction of the minimum lot area from 400 square metres to 367 square metres.

The Application was approved by the Committee of Adjustment provided 50 per cent of the front yard be constructed as landscaped open space and 50 per cent of the front yard be constructed as a 'hard surface material' parking area, both in accordance with By-law

2000-309, as amended. The existing driveway currently does not comply with this condition.

The Proposal

The Applicant proposes to convert an existing semi-detached dwelling to a triplex dwelling. To facilitate the proposal, Application **A-146/19** seeks relief from the Zoning By-law through the variances detailed in the table below.

Variance #	Zoning Provision	Required	Proposed
1	Minimum Lot Area	420 m^2	365 m^2
2	Minimum Lot Frontage	12 m	10 m
3	Parking Requirement	3 spaces	2 spaces

Location and Site Description

The subject property is located on the north side of Cross Street, between Page Street and Tasker Street. The property is surrounded by a variety of low-rise residential uses.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Downtown on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E10 thereof. The proposed residential use is permitted on these lands at a density range generally between 25 and 99 units per hectare.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3), permitting the proposed triplex.

Planning Analysis

Variance 1

Zoning By-law 2013-283 establishes a minimum lot area of 420 square metres for a triplex dwelling in the R3 zone. The intent of the provision is to ensure that a building envelope can comfortably fit within the boundaries of the property, while also ensuring that adequate space is maintained for outdoor amenity areas, landscaping, parking, and stormwater management. The lot area provisions also help to ensure a generally consistent lot fabric and built form within the neighbourhood.

The Applicant is requesting a reduction of the minimum lot area from 420 square metres to 365 square metres to facilitate the conversion of the semi-detached dwelling to a triplex dwelling. There are discrepancies between various records on the size of the lot, but

based on a survey from 2008, the lot area is 367.532 square metres. The neighbouring house to the west at 11 Cross Street encroaches onto this property, covering approximately 5.843 square metres. This reduces the useable lot area on the property to 361.689 square metres, although this has no impact on lot area as defined in the Zoning By-law.

The subject property is located in a neighbourhood where lots vary in size and shape and where many are undersized. The 52.468 square metre reduction in lot area, although a significant departure from what is required by the Zoning By-law, is compatible with a number of nearby properties. Further, a triplex dwelling on these lands would result in a density of approximately 82 units per hectare, where the Official Plan sets out a density range generally between 25 and 99 units per hectare. As such, the proposed triplex aligns with the density targets outlined in the Official Plan. All proposed work is internal and will be visually undetectable; no adverse impacts are anticipated on the surrounding area. Staff are of the opinion that the requested variance is minor in nature, desirable for the appropriate use of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend that a reduction of lot area from 420 square metres to 367 square metres be approved.

Variance 2
Zoning By-law 2013-283 establishes a minimum lot frontage of 12 metres for triplex dwellings in the R3 zone. The provision is intended to ensure a sufficient lot width to properly accommodate a building footprint, parking, and landscaping while also conforming to various setback and parking requirements.

The Applicant has requested a reduction of the minimum lot frontage to 10 metres, however staff note that a survey submitted for the property shows a lot frontage of 11.186 metres. The Applicant has demonstrated that the lot is sufficiently wide to accommodate the building footprint, landscaping, and parking, provided Variance 3 is approved. No adverse impacts are anticipated on the surrounding area. Staff recommend that Variance 2, as outlined in the Notice of Hearing, be denied, but that a reduction of lot frontage to 11.186 metres be approved.

Variance 3
Zoning By-law 2013-283 establishes a minimum parking requirement for triplex dwellings of three parking spaces, while the Applicant is requesting a reduction to two parking spaces.

Part C, Section 5.4.2 of the GCP states that the City may consider the reduction or elimination of vehicular parking requirements where transit is readily available, where bicycle parking facilities are provided, among other matters. The subject property is located within the Downtown District and within a five-minute walking distance of bus routes on Church Street and Queenston Street bus, and amenities such as restaurants, health clinics, and convenience stores. Staff are satisfied that given this context, a reduction of one parking space will have no adverse impact. Staff are recommending approval of Variance 3 accordingly.

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff is of the opinion that Application **A-146/19,** if approved as recommended, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend that the Application be approved, in part, subject to the condition outlined herein.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso Student Planner	AKnutson for: Evan Acs Planner I	AKnutson Amanda Knutson Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2

13 Cross
33 Arthur

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:39 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2

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

Hi Elaine

Email-2
Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Memorandum

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

Cc: 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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

Memorandum

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

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

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

A-147/19 (60.81.5581)

15 Glenbarr Road

DATE OF HEARING: December 11, 2019

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 6, 2019 **Date of Meeting:** December 11, 2019

Report Number: **A-147/19** **File:** **60.81.5581**

Subject: 15 Glenbarr Road

Recommendation

Minor Variance

That Variance 1 of Application **A-147/19** by Saunders Investments Inc., as outlined in the Notice of Hearing, be denied, and that a maximum floor area of 85 square metres for the interior accessory dwelling unit be approved instead; and

That Variance 2 of Application **A-147/19** by Saunders Investments Inc., as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes to convert the basement of the existing detached dwelling to an interior accessory dwelling unit. Further, the Applicant wishes to have the existing shed, which is located in the required front yard, recognized as compliant with the requirements of the Zoning By-law. To facilitate the proposal, Application **A-147/19** seeks relief from Zoning By-law 2013-283 through the variances detailed in the table below.

Variance #	Zoning Provision	Requirement	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60 m^2 or 40% of the floor area of the dwelling unit (including the basement), whichever is less	95.6 m^2
2	Accessory buildings and structures	Shall not be located in the required front yard, being 6 metres	4.116 m

Location and Site Description

The subject property is located on the northeast corner of Glenbarr Road and East Hampton Road and 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 E8 thereof. The existing detached dwelling is a permitted use; accessory dwelling units are also permitted.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). The existing detached dwelling and proposed accessory dwelling unit are permitted.

Planning Analysis

Variance 1

Zoning By-law 2013-283 permits one interior accessory dwelling unit in any detached dwelling, provided it not exceed 60 square metres in size or 40% of the floor area of the overall dwelling, whichever is less. The intent of the provision is to ensure that the interior accessory dwelling unit is secondary and subordinate to the primary dwelling unit.

The Applicant is requesting an increase in floor area for the proposed interior accessory dwelling unit from 60 square metres to 95.6 square metres. Upon review of the Application by staff, it was found that a lesser increase to 85 square metres is actually required, given 15.5 square metres of floor area can be considered common to both units. The proposed alterations to the detached dwelling are entirely internal; there is no addition proposed nor an increase in building mass. Although marginally larger than the Zoning By-Law permits, the proposed accessory dwelling unit will be secondary to the principal ground floor unit, maintaining the intent and purpose of the Zoning By-Law. Staff recommend that an increase in the maximum size of the interior accessory dwelling unit to 85 square metres be approved.

Variance 2

Zoning By-law 2013-283 provides that accessory buildings and structures may not be located in the required front or exterior side yards, being 6 metres and 4 metres, respectively, in the R1 zone. The intent of the provision is to maintain the character of the streetscape, reserving these yards, which are highly visible from the street, for landscaping, amenity areas, stormwater management and parking.

The Applicant is requesting a reduction of the minimum front yard setback from 6 metres to 4.116 metres to allow the existing shed to remain in its location. No new development is proposed. While the yard in question technically constitutes the front yard (it is the shorter of the two lot lines with frontage on a public road), it functions more as an exterior side yard. The required exterior side yard in the R1 zone is 4 metres and the existing shed is set back 4.116 metres from the lot line, satisfying the intent of the provision. Staff recommend approval of Variance 2 accordingly.

Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-147/19**, if approved as recommended, is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved, in part.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso Student Planner	Tage Crooks Planner I	Amanda Knutson Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - Last Email

From: Laven, Amaraine (MNRF) <Amaraine.Laven@ontario.ca>
Sent: Monday, November 25, 2019 4:24 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - 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.

Hello Elaine,

We have now had the opportunity to review the applications for consideration at the December 11, 2019 Committee of Adjustment Meeting. Please be advised of the following:

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   - The subject property is outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on this property. The property is, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications submitted under the Planning Act.
   - The subject property is designated Urban Area in the NEP 2017.
   - We understand that the application seeks to recognize the existing duplex use and the following existing variances from the Zoning By-law:
     - A reduction of the minimum landscape buffer along the rear lot line from 3 metres to 1.4 metres
     - A reduction of the minimum landscape buffer along the interior side lot line where the lot has an exterior side yard on Glenridge Avenue from 3 metres to 1.4 metres.
     - An increase of the maximum dwelling unit size from 93 sq m to 150 sq m.
   - Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
   - The subject proposal is not proposing any changes to height that would have a visual impact and is not to encroach within Escarpment Natural Area. Therefore, there is no conflict with Development and Growth Objectives under Part 1.7.5.
   - Based on the above, NEC staff have no objection to Minor Variance Application A-143/19 provided it conforms with the Zoning By-law (the application to vary from the by-law is in fact minor in nature).

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274; 284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578; 290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579**
   - The subject properties (284 and 290 Glendale Ave) are outside of Niagara Escarpment Commission (NEC) area of Development Control (DC) and therefore a Development Permit is not required for development on the properties. The properties are, however, within the Niagara Escarpment Plan (NEP) Area and therefore the NEC has an interest in development and will comment on applications under the Planning Act.
   - The subject properties are designated Urban Area in the NEP 2017.
   - We understand the applications seek a boundary adjustment between the two parcels of land through severing a parcel from 290 Glendale Ave., which will be added to 284 Glendale Ave. to accommodate a

building addition and expansion of the existing commercial plaza, subject to a blanket easement between the two properties. The two minor variance applications are required to facilitate the consent application and seek to (1) reduce the required landscaped buffers for properties with 20 to 100 parking spaces: abutting a public road; along the westerly property line; and along a shared property line at 284 Glendale Ave and (2) reduce the required landscaped buffer along a shared lot line at 290 Glendale Ave.

- Part 1.7.4 of the NEP states that proposed uses may be permitted, subject to conformity with Part 2 of the NEP, the Development Objectives, and where applicable, zoning by-laws that are not in conflict with the NEP. The City of St. Catharines Zoning By-law is not in conflict with the NEP. Therefore, provided that the proposal generally conforms with the Zoning By-law, the proposal is a permitted use.
- Part 1.7.5 of the NEP lists Development Objectives that apply to growth and development within the Urban Area designation, including the following which apply to the subject applications:
    - Part 1.7.5.1 states that all development shall be compatible with the scenic resources of the Escarpment. Where appropriate, provision for maximum heights, adequate setbacks and screening are required to minimize the visual impact of urban development.
    - Part 1.7.5.2 states that Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions and work towards the long term goal of low-carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of green infrastructure and appropriate low impact development.
    - Part 1.7.5.9 states that growth and development in Urban Areas shall be compatible with and provide for... (e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate; (f) sustainable use of water resources for ecological and servicing needs; and (g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or sub watershed plans in land use planning.
- Based on the above, NEC staff have no objection to consent Application B-47/19, and Minor Variance Applications A-144/19 and A-145/19, provided that they conform with the Zoning By-law (the applications to vary from the by-law are in fact minor in nature) and the above noted Development Objectives.

3. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**

- The subject property is outside of Niagara Escarpment Commission Development Control and the Niagara Escarpment Plan (NEP) Area and therefore we have no comments.

Please let me know if you have any questions or require clarification on any of the above.

Sincerely,

Amaraine Laven, MES(Pl)
Senior Planner

Niagara Escarpment Commission
An agency of the Government of Ontario

232 Guelph Street | Georgetown, ON | L7G 4B1
Tel: 905-877-1763
Website: www.escarpment.org
Please let me know if you require communication supports or alternate formats.

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3

15 Glenbarr
2 Campbell

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:40 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3

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

Hi Elaine

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

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

Memorandum

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

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

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

B-48/19SC (60.84.2275), A-148/19 (60.81.5582) & A-149/19 (60.81.5583)

33 Arthur Street

DATE OF HEARING: December 11, 2019

Munro, Elaine

Subject: RE: Committee of Adjustment - 33 Arthur Street

From: Lynn Christensen < >
Sent: Sunday, December 8, 2019 5:29 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Committee of Adjustment - 33 Arthur Street

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Dear Secretary-Treasurer,

We received a notification for an application for consent to sever the lot at 33 Arthur Street, Lot 2, Plan 236, St. Catharines, Ontario (File No. 60.81.5582, Submission No. A-148/19) for which we object. We also object to the related applications for minor variance (File No. 60.81.5582, Submission No. A-148/19 & File No. 60.81.5583, Submission No. A-149/19).

Our family resides at 31 Nickel Street which is directly behind the subject lot. In the Site Plan you can see our yard as the one bordering 33 Arthur Street with the inground pool. Our yard is already bordered by 5 lots, 3 on the east side of our yard(on Arthur Street), 1 lot at the back of our yard(on Sajur Court), and 1 on the west side(on Nickel Street). We feel that 5 lots are excessive but if a severance is allowed at 33 Arthur Street, we would have yet another lot bordering us making 6 in total! Especially with the location of 33 Arthur Street bordering almost the entire length of our backyard, we have concerns with an increase of residents and building units surrounding our property.

An increased number of lots(neighbours) will affect the privacy and enjoyment of our backyard. Potential for noise(parties, dogs, lawn mowing, etc.) and disturbances increase with the number of building units and residents living next to our property. In fact, one of the rooms at the back of our home is used as a home office and even with the current number of properties/residents there are often times when noise is disturbing(we usually have windows open in Spring/Summer). Apart from the noise, the privacy of our backyard pool area will be affected by more curious eyes, etc. because the fence can't completely block the view. The new multi-story building planned by the developers would drastically affect our privacy since the new building is extremely taller than the current house on the property.

The increased number of lots and neighbours surrounding our property will result in a decrease of our property value which is unfair to us. We have owned our property and paid taxes in St. Catharines for 32 years!

The severance aside, the application is then wanting to reduce the minimum lot area required for a dwelling, reduce lot frontage, reduce setbacks, increase encroachment because the planned dwelling is simply much TOO BIG for the lot!

We and our neighbours are concerned about the precedent that would be set by allowing the lot severance and many variances in the applications. It would open the door for similar severances/allowances and similar enormous, multi-unit buildings being build on tiny lots looming over the existing residences. We do not want

our currently tranquil neighbourhood with proportionate houses on modest sized lots to turn into what is essentially glorified row housing.

I have attached pictures of the front and back of 33 Arthur Street with the planned building superimposed on them. You will see from the front view how much larger and taller the planned structure is in comparison to surrounding houses. How much more lot the planned building consumes. Imagine walking out of your house to a looming wall over twice as high as your home at the side! The back view picture was taken from my backyard, our little oasis we have designed and nurtured over our 32 years. Now imagine yourself sunbathing and swimming in the pool below the towering structure with many windows and much closer to our yard that the existing house. This is the future we face if you allow the severance, allowances, variances and easements included in the subject applications.

We respectfully request that the lot severance(File No. 60.84.2275, Submission No. B-48/19SC), the related variances(File No. 60.81.5582, Submission No. A-148/19 & File No. 60.81.5583, Submission No. A-149/19) and proposed building of the multi-story semi-detached dwelling be denied by the Committee of Adjustment.

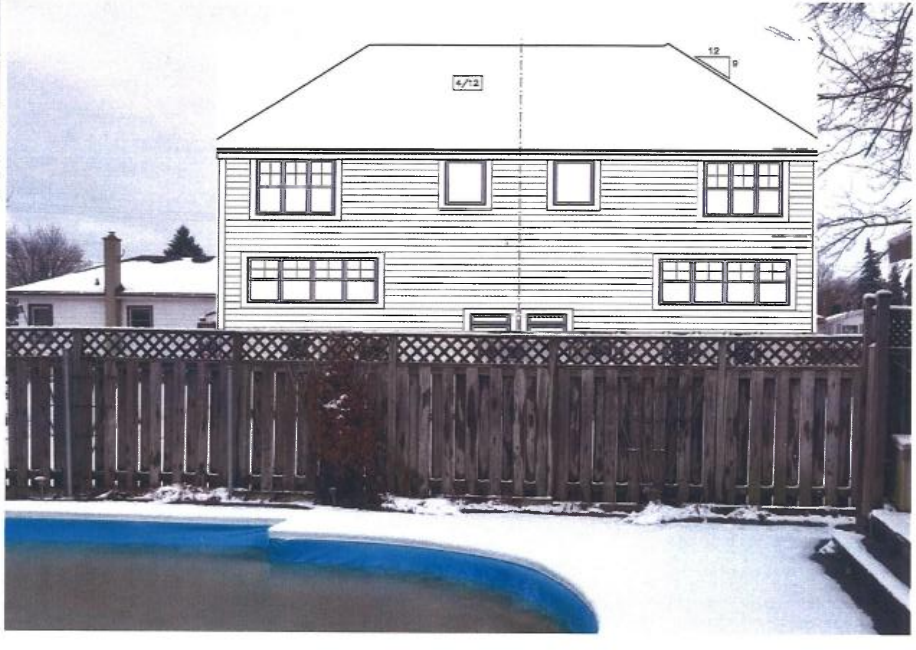
Sincerely,

Paul and Lynn Christensen
31 Nickel Street
St. Catharines, Ontario
L2M 1L4

Click here to report this email as spam.

Front view

Rear view from backyard (back of house is closer to backyard/fence)



Munro, Elaine

Subject: RE: 33 Arthur street St Catharines File # 60.84.2275 Sub.B-48/19sc, File # 60.81.5682 Sub #A-148/19, File #60.81.5583 Sub#A-149/19

From: John Peter Miller < >
Sent: Monday, December 9, 2019 9:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Fw: 33 Arthur street St Catharines File # 60.84.2275 Sub.B-48/19sc, File # 60.81.5682 Sub #A-148/19, File #60.81.5583 Sub#A-149/19

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Sent from Outlook

From: John Peter Miller
Sent: December 9, 2019 9:51 AM
To: emunroe@stcatharines.ca <emunroe@stcatharines.ca>
Subject: 33 Arthur street St Catharines File # 60.84.2275 Sub.B-48/19sc, File # 60.81.5682 Sub #A-148/19, File #60.81.5583 Sub#A-149/19

I would note my concerns and objections to the proposed changes to the existing property currently noted as 33 Arthur Street , St. Catharines, On.

All of the homes in the vicinity of 33 Arthur are all single one story homes with the exception of the original farm home close to Cindy St and Arthur St. intersection, although it will not directly effect my home I would not like someone looking down into my windows or yard from a 2nd or 3rd story residence.

I believe that placing a 2-3 story semi home in the area as well would be a visual distraction from the current neighbour landscape .

The proposed frontage to reduction will be a safety concerns regarding driveway parking, entering and exiting off a very busy street. Most families have 2 vehicles and although there will be garages I know as well as most the very few people parks cars in the garages as they quickly become storage areas for growing families etc.

There is not a shoulder for street parking on the west side of Arthur where the proposed property is located ,my other safety concern is that any overflow homeowner vehicles or visitors will park on the east side where there is a wider shoulder to allow for parking. My is home is directly across the street from 33 on the east side, overflow parking happening will block my view when exiting my driveway of cars heading south on Arthur as well as any vehicles exiting from Croyden St. onto Arthur St., this intersection is approx., 35 meters from my driveway.

I believe and modifications in area should be more in line existing area landscape either single one story home or single story duplex with adequate parking in drive ways for min 2 cars per unit and now closer toe street ine than existing home.

thanks John and Dale Miller
32 Arthur Street
Sent from Outlook

Click here to report this email as spam.

Abraham and Diane Opdam
31 Arthur St. St. Catharines On.
L2M 1H1 [redacted]

Elaine Munro
Secretary-Treasurer
City of St.Catharines
Committee of Adjustments

Concerns to the proposed variances at 33 Arthur St.

We object to the application of a semi detached dwelling at 33 Arthur St. We understand the R1 zoning will be applied on this property. The elevation drawings indicate this structure To be 2 and a half stories to a height of 10 meters (32 feet) from ground level to the centre of the roof line. This height is not compatible with existing dwellings surrounding 33 Arthur St. And its neighborhoods. One of the reasons for us moving to Arhtur St. was the character of the street with it's one level dwellings. These proposals will change Arthur St. and it's neighbor-Hoods forever. Don't let this happen.

Another concern is drainage. The easement needed to get access to a garage from Arthur St. will diminish the size of the drainage ditch. The existing ditch has serviced #31..#33..#35 successfully to this date. Rain water flows from #29 Arthur St. through culverts to # 35 Arthur St. where it is collected at a grating and from there into the storm sewer system. I hope Proper surface drainage will be addressed during construction and at property re-instating time.

The houses on either side of 33 Arthur St. have block wall foundations. It is a concern when heavy equipment is used to raise the existing house and to dig a new foundation it could Cause damage to these block walls. I hope consideration is given to this concern.

Yours Truly...Abraham..Diane..Opdam

Munro, Elaine

Subject: RE: 33 Arthur St, Variance application A-148/19 & A-149/19

From: hswitt>
Sent: Monday, November 25, 2019 3:00 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 33 Arthur St, Variance application A-148/19 & A-149/19

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Elaine Monro, Secretary-Treasurer Committee of Adjustment, City Hall

My only concern with the building of this structure is that it will be a two story building. The existing dwelling is only a single story. When we purchased our house at 12 Sajur Crt, privacy in our backyard and pool area was one of the main factors in our decision to purchase. The idea of now having a two story dwelling overlooking our backyard and pool area is concerning. Not to mention that this may also have an impact on our resale possibilities. A single story building would be acceptable.

I also request a copy of the Notice of Decision.

Sincerely, Harold Witt, 12 Sajur Crt, St Catharines, Ont. L2M6K6

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alectra utilities
Discover the possibilities

December 3, 2019

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

Attention: Elaine Munro

File# 60.84.2275, 60.81.5582 & 60.81.5583

Re: 33 & 33A Arthur St

In response to your correspondence dated November 19, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- 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.

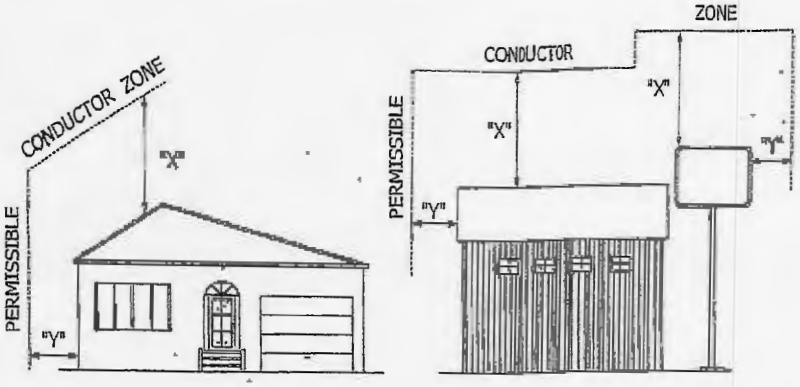
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal,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

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

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

CERTIFIED
Regulation 22/04



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon UTILITIES Looking beyond...

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

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

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING # 3-105 | SHEET# 1 | REVISION# 0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2

13 Cross
33 Arthur

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:39 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2

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

Hi Elaine

Email-2
Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - 905-19-431

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Monday, November 18, 2019 3:22 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 2 - 905-19-431

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

Dear Elaine,

Re File:

- Severance
- B-48/19SC
- 33 Arthur Street
- Lot 2 Plan 236

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

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

Thank you,

Carrie Gordon

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

Memorandum

To:	Elaine Munro, Committee Secretary & Planning Clerk Planning and Building Services
Cc:	Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen Planning and Building Services
From:	Steven Sunderland, Building Inspector Planning and Building Services
Date:	November 26, 2019
Subject:	Building Comments on Applications to the Committee of Adjustment **Consents – December 11, 2019 hearing**

B-47/19SC – 290 Glendale Avenue

Comment:

- Be advised that a building permit is required for the proposed addition.

Condition:

- No comment

B-48/19SC – 33 Arthur Street

Comment:

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

Condition:

- Be advised that demolition permits are required for the single detached dwelling and detached garage and must be completed prior to the issuance of a permit for the semi-detached dwelling.

B-49/19SC – 2 Campbell Avenue

Comment:

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

Condition:

- No Comment

B-50/19SC – 21 Adelene Crescent

Comment:

- No Comment

Condition:

- No Comment

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-48/19SC

December 6th, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11th, 2019

Applicant: 1962963 Ontario Inc.

Location: 33 Arthur Street

MUNICIPAL SERVICES AVAILABLE

Water:	Yes
Sanitary:	Yes
Storm:	None
Sidewalks:	None
Road Allowance:	26.36m±

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

Comment(s): It is noted that the Owner proposes to sever Part 3 for the proposed construction of one-half of a semi-detached dwelling. Parts 1 & 2 will remain as the other half of the semi. The severance is being created so that both units can be sold separately.

Roads

Arthur Street is designated a Collector Road in the City's Official Plan with a desired right-of-way width of 20.0m. Its current width is +/- 26.4m, therefore, the City will not be requesting a right-of-way widening at this time. Arthur Street has no curbs across the frontage of these lands.

Sidewalks do not exist along the frontage of the subject property. The City has this section of sidewalk listed as a priority. Therefore, as a condition of the approval of this severance, the Owner shall be required to pay for the sidewalk across the frontage of the subject lands. Based on the sketch provided, the frontage is 18.29m. The area of the 1.5m wide sidewalk to be constructed is 27.45m2.

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. Proposed culverts shall also be shown.

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 Arthur 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 and direction of the discharge pipe 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. The location and direction of the discharge pipe 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 (or relocated) 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
- The Owner pay the cash-in-lieu fee for the future sidewalk along the frontage of Arthur Street, the costs to be determined based on the construction price index and average City tender document pricing, at the time of payment. The current rate is $194.45/m2.

Prepared by:

James 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 DiTomasso, Planning Co-op Student

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

B-49/19SC (60.84.2276), A-150/19 (60.81.5584) & A-151/19 (60.81.5585)

2 Campbell Avenue

DATE OF HEARING: December 11, 2019

CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 4, 2019 **Date of Meeting:** December 11, 2019

Report Number: **B-49/19SC**
A-150/19
A-151/19

File: **60.84.2276**
60.81.5584
60.81.5585

Subject: 2 Campbell Avenue (4 Campbell Avenue)

Recommendation

Consent

That Application **B-49/19SC** by Jennifer Elliotson and Mark Elliotson and Sarah-Jade Loewen and Thomas Loewen, as outlined in the Notice of Hearing be approved, subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
    a. That building permit plans, including elevation plans for 2 and 4 Campbell Avenue (Parts 2 and 1), be substantially in accordance with the plans attached hereto as Appendix 1, to the satisfaction of the Director of Planning and Building Services or her designate.
2. That the Applicant submit for review and approval by City staff an individual lot grading and drainage plan, prepared by a professional engineer or Ontario Land Surveyor.
3. That the Applicant provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
4. 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.
5. 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.
6. That final approval of the concurrent Minor Variance Applications be received by the Committee of Adjustment.
7. That all conditions of consent be fulfilled by December 11, 2020.

Minor Variance

That Applications **A-150/19** and **A-151/19** by Jennifer Elliotson and Mark Elliotson and Sarah-Jade Loewen and Thomas Loewen, as outlined in the Notices of Hearing, be approved.

Report

Background

Consent Application **B-49/19SC** and concurrent Minor Variance Applications **A-150/19** and **A-151/19** follow previously approved Consent Application **B-15/12SC** and concurrent Minor Variance Application **A-49/12**, which were submitted for consideration in 2012. The Applications were made to facilitate the creation of a new 406.7 square metre lot for the purpose of constructing a two-storey semi-detached dwelling to be known as 2 Campbell Avenue. A 426.4 square remnant parcel (27 Turner Crescent) was retained for continued use of the existing detached dwelling.

Notwithstanding a building permit was issued for a semi-detached dwelling on these lands on October 12, 2018, the dwelling has not yet been constructed and the property was recently sold. The new Owner has been working closely with staff to develop a superior design for the building than was previously approved through the building permit process (see Appendix 1 attached hereto). Staff have determined that there is nothing further to be gained by requiring the Applicant to submit its proposal to the Design Review Panel in advance of the Committee of Adjustment's consideration of this Consent Application.

The Proposal

The Applicant proposes to construct a two-storey semi-detached dwelling with each of the units being situated on its own lot and each containing an internal accessory dwelling unit. To facilitate the proposal, Application **B-49/19SC** is made for consent to sever 201.5 square metres of land (Part 1) creating a new lot to be known as 4 Campbell Avenue. A 205.1 square metre remnant parcel (Part 2) will be retained for the second semi-detached dwelling unit. Concurrent Minor Variance Applications **A-150/19** and **A-151/19** seek relief from the City of St. Catharines Zoning By-law through the variances outlined in the table below.

Application	Variance #	Zoning Provision	Requirement	Proposal
A-150/19 2 Campbell Avenue (Part 2)	**1**	Minimum Lot Area	280 square metres	205 square metres
	2	Minimum setback from an interior lot line for a platform structure	1.2 metres	0 metres
A-151/19 4 Campbell Avenue (Part 1)	**1**	Minimum Lot Area	280 square metres	201 square metres
	2	Minimum setback from an interior lot line for a platform structure	1.2 metres	0 metres

Location and Site Description

The subject property is located on the southeast side of Campbell Avenue, just north of Turner Crescent. 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 E9 thereof. Semi-detached 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 – Traditional Neighbourhood (R2). Semi-detached dwellings are permitted.

Planning Analysis

Consent

Section 16.11.3 of the Garden City Plan (GCP) states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed, 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 GCP supports a balanced approach to infill and intensification to ensure appropriate building, site, and streetscape design.

Consent Application **B-49/19SC** requests to sever the subject property for the purpose of constructing a semi-detached dwelling; each of the two units will be sold individually and held in separate ownership. While the proposed lot sizes are generally smaller than surrounding properties, the scale of the proposed building and overall lot area are in keeping with the character of the neighbourhood. The proposal demonstrates that there is sufficient space on each of the lots to accommodate parking, landscaping, and amenity areas. There are no anticipated impacts as a result of the severance and staff are recommending approval of the Application accordingly.

As outlined in the Recommendation herein, staff are recommending that, as a condition of consent, the Applicant be required to enter into a development agreement with the City to ensure the building will be constructed substantially in accordance with the concept drawings attached to this report as Appendix 1.

Minor Variance

Variance 1 of each of Applications A-150/19 and A-151/19

Zoning By-law 2013-283 establishes a minimum lot area of 280 square metres for a semi-detached dwelling unit in the R2 zone. This requirement is intended to: implement the City's residential intensification and density targets; respect the character of the established neighbourhood; and to ensure sufficient space is maintained for a building footprint, parking, and landscaping.

Pursuant to the former "existing lots of record" provisions of Zoning By-law 2013-283, which were in place at the time of issuance of a building permit for a semi-detached dwelling on these lands, the proposal was exempted from the normal minimum lot area requirement. However, as a result of the severance contemplated through the current Consent Application, the lot at 2 Campbell will lose its status as an existing lot of record. It must, therefore, comply with the minimum lot area requirement for semi-detached dwellings in the R2 zone.

Accordingly, the Applicant is requesting a reduction of the minimum lot area from 280 square metres to 205 square metres for 2 Campbell Avenue (Part 2) and from 280 square metres to 201 square metres for 4 Campbell Avenue (Part 1). Staff considers these types of variances minor and administrative in nature; there is no impact and the semi-detached dwelling could be built without the lot being divided. The Applicant has demonstrated that each of the proposed lots can accommodate the building footprint, landscaping, outdoor amenity areas, and parking. Given the relief requested is desirable for the appropriate use of the lands and maintains the purpose and intent of the Official Plan and Zoning By-law, staff recommend that Variance 1 of each of Applications **A-150/19** and **A-151/19** be approved.

Variance 2 of each of Applications A-150/19 and A-151/19

Zoning By-law 2013-283 establishes a minimum setback from an interior lot line of 1.2 metres for platform structures, such as porches and decks. The provision is intended to ensure the platform structure does not overwhelm the abutting yard and to maintain a degree of separation from neighbouring properties to mitigate safety, privacy, and overlook concerns.

The Applicant is requesting to reduce the required setbacks for the proposed rear decks from 1.2 metres to 0 metres so that the decks can be constructed side-by-side without any separation between the two. The variances are required as a result of the creation of the new lot line and staff therefore considers the variance to be minor and administrative in nature. Staff are recommending that Variance 2 of Applications **A-150/19** and **A-151/19** be approved accordingly.

Conclusion

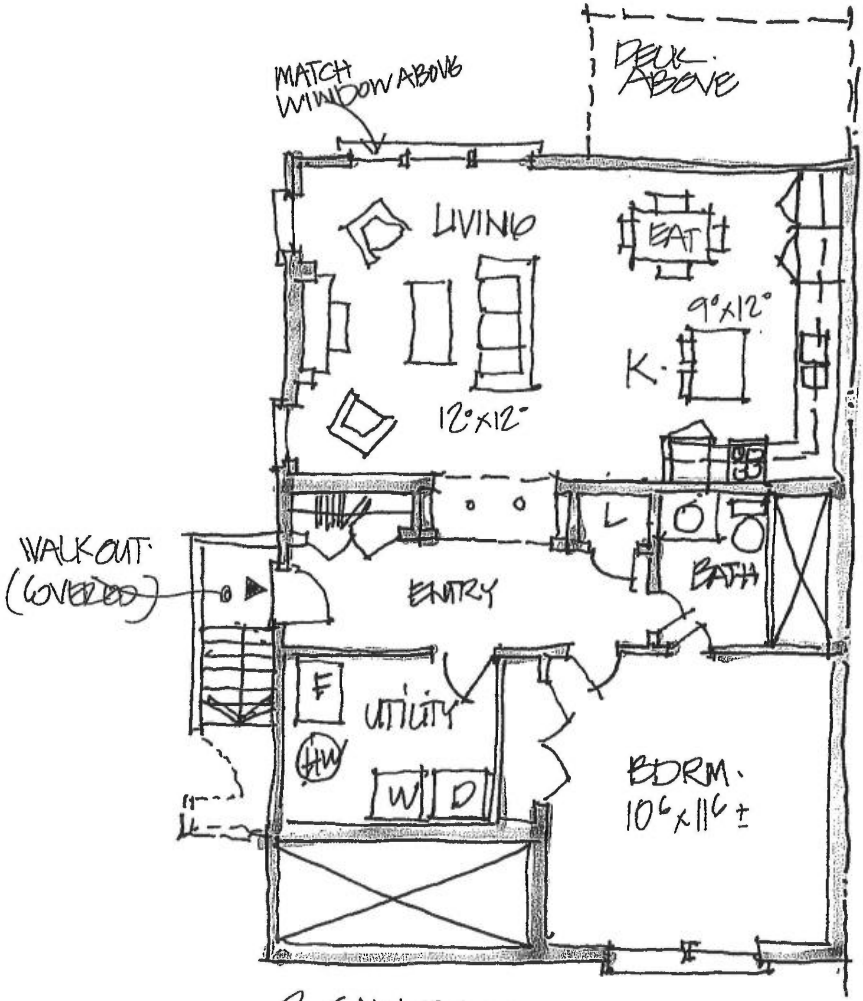
The proposed severance requested through Application **B-49/19SC** will allow each of the semi-detached units to be held in separate ownership with little to no impact on the neighbourhood. Staff are recommending approval of the Application, subject to certain conditions.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-150/19** and **A-151/19** 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 that the Applications be approved.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso Student Planner	Tage Crooks Planner I	Amanda Knutson Planner II

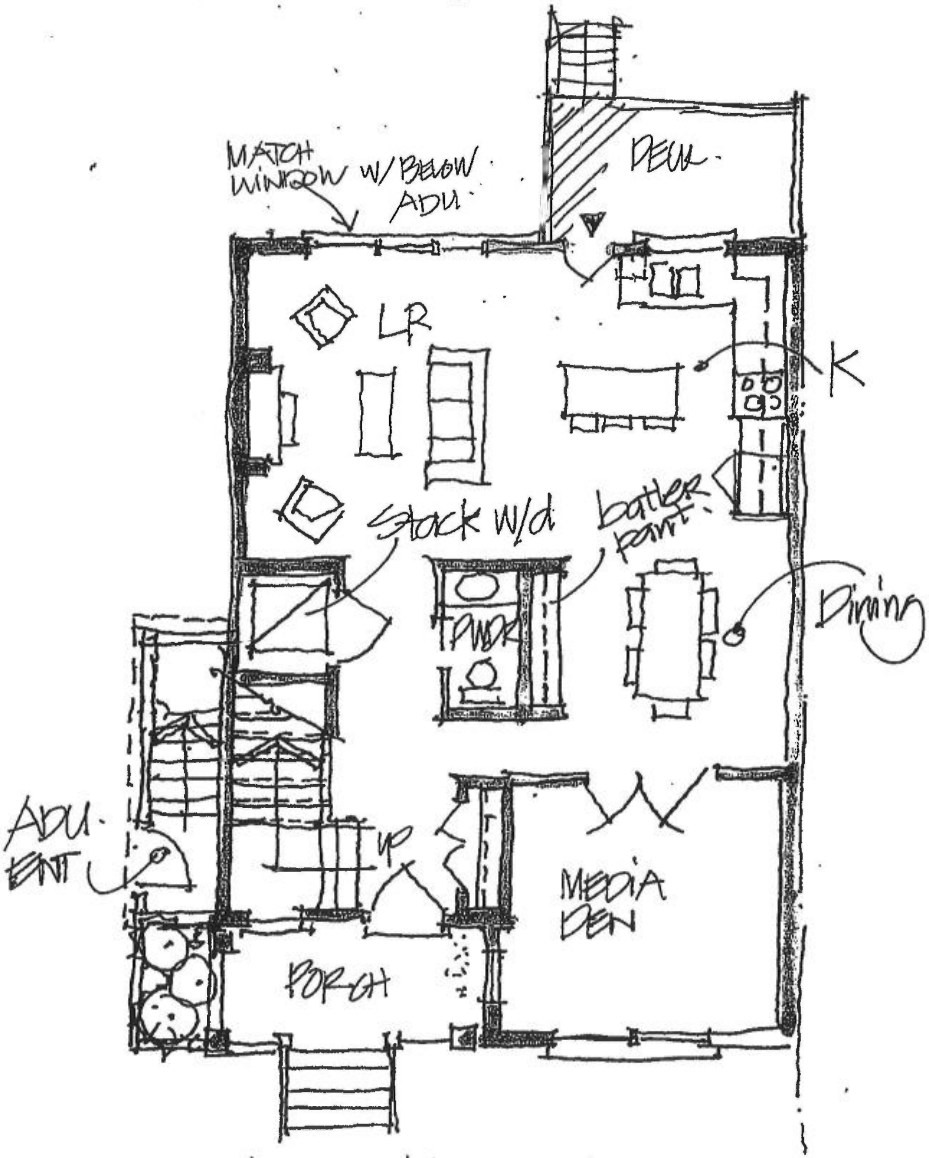
ELEVATION (FRONT) FACING STREET BNI.
2 CAMPBELL

NOV. 2019 - BNI



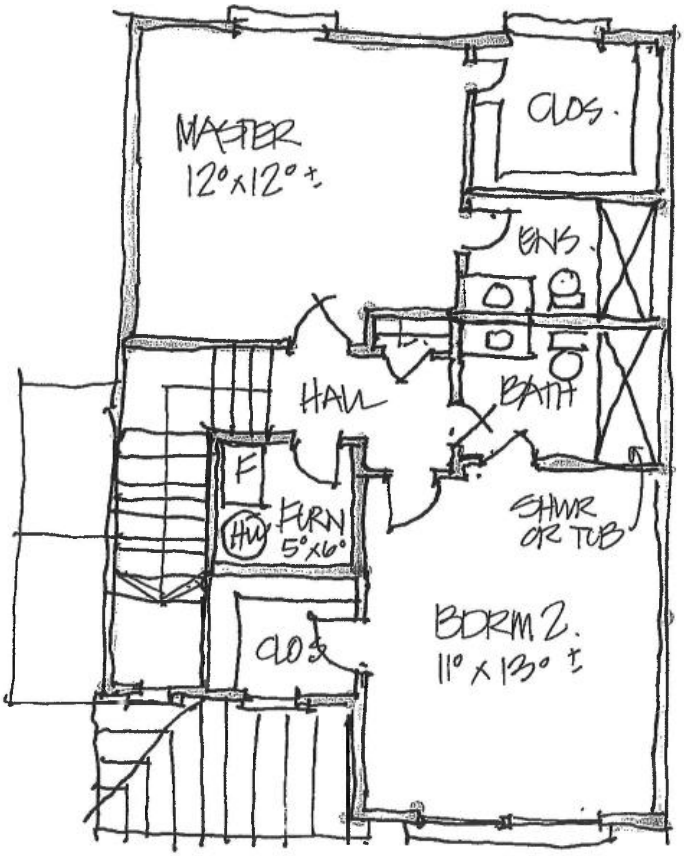
2 CAMPBELL
ACCESSORY DWELLING UNIT
BASEMT. FLOOR

NOV. 2013. BNI



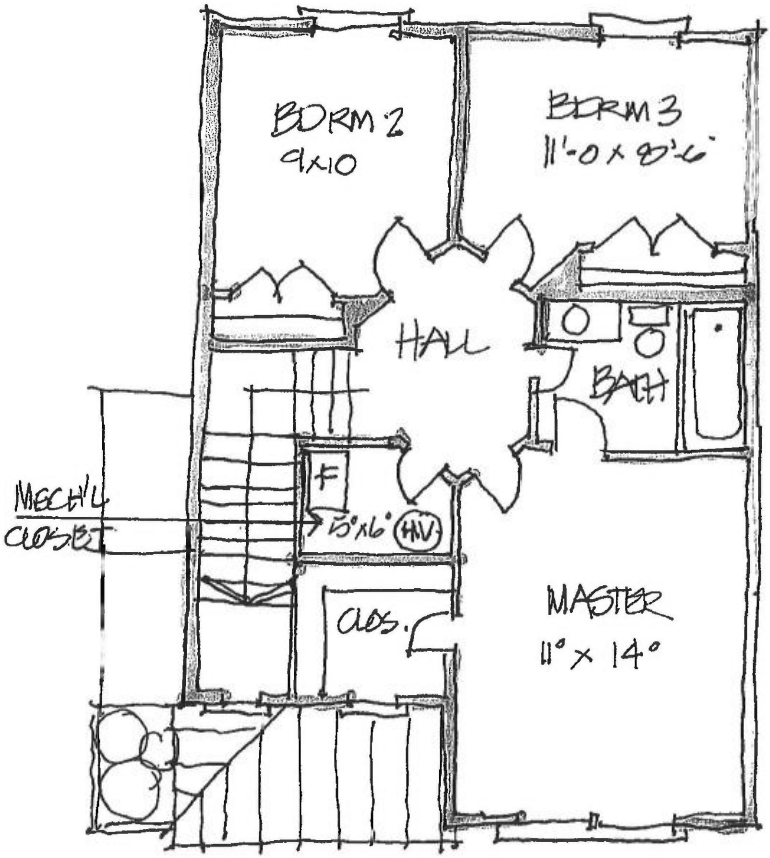
MAIN FLOOR LEVEL
2 CAMPBELL - BNI.

NOV. 2019. BNI



2 CAMPBELL.
2 BEDROOM OPTION
UPPER LEVEL. FLOOR

NOV. 2019. BNI.



2 CAMPBELL
3 BEDROOM OPTION
UPPER LEVEL FLOOR.

NOV. 2010 - BNI

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

---

From: Proximity <proximity@cn.ca>
Sent: November 22, 2019 3:12 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing

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

Good afternoon Elaine

Thank you for circulating CN Rail on the above noted application.

CN has no objections to the application as presented

Regards

Susanne

Susanne Glenn-Rigny

Senior Officer, Community Planning and Development | Corporate Services
T: **514-399-7844** | C: **514-919-7844**

Celebrating 100 years | Célébrons nos 100 ans

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3

15 Glenbarr
2 Campbell

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:40 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3

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

Hi Elaine

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

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3 - 905-19-432

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Tuesday, November 26, 2019 10:27 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 3 - 905-19-432

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

Dear Elaine

Re File:

- Severance
- B-49/19SC
- 2 Campbell Avenue
- Pt Lot 29 Corp Plan 6; designated as Pt 1 Plan 30R14165

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

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

Thank you,

Carrie Gordon

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

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December 3, 2019

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

Attention: Elaine Munro

File# 60.84.2276, 60.81.5584 & 60.81.5585

Re: 2 and 4 Campbell Ave

In response to your correspondence dated November 19, 2019, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- 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.

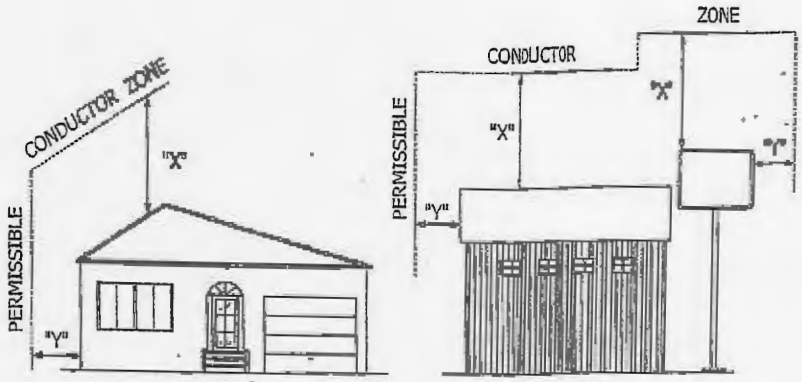
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal,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

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

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

CERTIFIED
Regulation 22/04



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon UTILITIES Looking beyond...

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

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

REFERENCE DRAWING(S)

DRAWINGS NOT TO SCALE

DRAWING # 3-105

SHEET # 1

REVISION # 0

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 26, 2019
Subject:	Building Comments on Applications to the Committee of Adjustment **Consents – December 11, 2019 hearing**

B-47/19SC – 290 Glendale Avenue

Comment:

- Be advised that a building permit is required for the proposed addition.

Condition:

- No comment

B-48/19SC – 33 Arthur Street

Comment:

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

Condition:

- Be advised that demolition permits are required for the single detached dwelling and detached garage and must be completed prior to the issuance of a permit for the semi-detached dwelling.

B-49/19SC – 2 Campbell Avenue

Comment:

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

Condition:

- No Comment

B-50/19SC – 21 Adelene Crescent

Comment:

- No Comment

Condition:

- No Comment

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-49/19SC

December 6th, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11th, 2019

Applicant: Better Neighbourhoods Inc.

Location: 2 Campbell Street

MUNICIPAL SERVICES AVAILABLE

Water:	Yes
Sanitary:	Yes
Storm:	None
Sidewalks:	Yes
Road Allowance:	15.2m±

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

Comment(s): It is noted that the Owner proposes to sever Part 2 for the proposed construction of one-half of a semi-detached dwelling. Part 1 will remain for the other half of the semi. The severance is being created so that both units can be sold separately.

Roads

Campbell Street is designated a Local Road in the City's Official Plan with a desired right-of-way width of 20.0m. Its current width is +/- 15.24m. In established neighbourhoods with established roadways and municipal services the City has accepted widenings to an 18.0m right-of-way width. Therefore, as a condition of severance the City will require a right-of-way widening of 1.38m across the frontage of Parts 1 & 2.

Sidewalks and curbs exist across the frontage of the subject property. A sidewalk damage deposit will be required at the Building Permit stage.

Municipal Services

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. An individual lot grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor. Proposed curb cuts shall also be shown.

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 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 not adversely affecting abutting properties.

Sump pump flows are typically discharged to grade, when no opportunity to connect to a piped storm sewer is available. Since a storm sewer does not exist at this location on Arthur 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 and direction of the discharge pipe 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. The location and direction of the discharge pipe must be identified on the submitted grading plan.

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 watermain 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 (or relocated) 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 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, the widening across the frontage of the subject properties, as public highway to be known as Campbell Street.

Prepared by:

James 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 DiTomasso, Planning Co-op Student

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

B-50/19SC (60.84.2277), A-152/19 (60.81.5586) & A-153/19 (60.81.5587)

21 Adelene Crescent

DATE OF HEARING: December 11, 2019

horizon UTILITIES Looking beyond...

alectra utilities
Discover the possibilities

December 3, 2019

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

Attention: Elaine Munro

File# 60.81.5586, 60.81.5587 & 60.84.2277

Re: 19 and 21 Adelene Crescent

In response to your correspondence dated November 19, 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.
- 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 respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.

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

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

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 4 - Last Email

21 Adelene
35 Oakdale

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:42 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 4 - Last Email

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

Hi Elaine

Email-4
Cogeco has no issues or concerns with these applications
Have a great week
Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

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

Memorandum

To:	Elaine Munro, Committee Secretary & Planning Clerk Planning and Building Services
Cc:	Tage Crooks, Wilrik Banda, Amanda Knutson, Brian Thiessen Planning and Building Services
From:	Steven Sunderland, Building Inspector Planning and Building Services
Date:	November 26, 2019
Subject:	Building Comments on Applications to the Committee of Adjustment **Consents – December 11, 2019 hearing**

B-47/19SC – 290 Glendale Avenue

Comment:

- Be advised that a building permit is required for the proposed addition.

Condition:

- No comment

B-48/19SC – 33 Arthur Street

Comment:

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

Condition:

- Be advised that demolition permits are required for the single detached dwelling and detached garage and must be completed prior to the issuance of a permit for the semi-detached dwelling.

B-49/19SC – 2 Campbell Avenue

Comment:

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

Condition:

- No Comment

B-50/19SC – 21 Adelene Crescent

Comment:

- No Comment

Condition:

- No Comment

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
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A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
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A-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
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   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
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   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

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   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
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8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-50/19SC

December 5, 2019 **ENGINEERING FILE 300-36**

Hearing Date: December 11, 2019

Applicant: Grace Cirroco & Santo D'Agostino

Location: 21 Adelene Crescent

MUNICIPAL SERVICES

Water:	200mm P.V.C.
Sanitary Sewer:	200mm A.C.
Storm Sewer:	450mm Concrete
Sidewalks:	No
Curbs:	Yes
Road Allowance Width:	20.12m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 on the submitted sketch to be added to the abutting southerly parcel known as 21 Adelene Crescent (Part 1) to recognize the location of the existing detached dwelling. A remnant parcel with the existing detached garage (Part 3) would be retained for continued residential use. The application would result in a boundary adjustment between the parcels of land.

Municipal Services

The lots were previously provided independent separate services at the time the Subdivision was developed, with water, sanitary and storm sewer laterals. Given the City has the information with respect to the existing service locations and identify they are within the proposed frontage limits of the future parts and would not conflict due to the boundary adjustment proposal, the Owner will **not** be required to pay to have City forces confirm the locations of these to the existing dwelling.

Condition(s): Development Engineering have no comments or conditions to impose, and have no objection with the approval of this application.

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
33 & 33A Arthur Street, A-148-149/19SC
2 & 4 Campbell Avenue, A-150-151/19SC
13 Cross Street, A-146/19SC
15 Glenbarr Road, A-147/19SC
284 & 290 Glendale Avenue, A-144-145/19SC
391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/

St. Catharines

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

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

COMMENTS

A-154/19 (60.81.5588)

35 Oakdale Avenue

DATE OF HEARING: December 11, 2019

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 4 - Last Email

21 Adelene
35 Oakdale

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, November 18, 2019 7:42 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the December 11/19 CofA Hearing - Email 4 - Last Email

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

Hi Elaine

Email-4
Cogeco has no issues or concerns with these applications
Have a great week
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

December 3, 2019

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

Attention: Elaine Munro

File# 60.81.5588

Re: 35 Oakdale Ave

In response to your correspondence dated November 19, 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.
- 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 respresentative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.

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

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

Sincerely,

Mark Jakubowski
Supervisor, Design, Customer Capital

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 26, 2019

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – December 11, 2019 hearing

NO.	ADDRESS	COMMENTS
A-143/17	391 Glenridge Ave.	No Comment
A-144/19	284 Glendale Ave.	Be advised that a building permit is required for the proposed addition.
A-145/19	290 Glendale Avenue	Be advised that a building permit is required for the proposed addition.
A-146/19	13 Cross Street	Be advised that a building permit is required for the proposed conversion of a semi-detached to a triplex.
A-147/19	15 Glenbarr Road	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-148/19	33 Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-149/19	33A Arthur Street	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-150/19	2 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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.

NO.	ADDRESS	COMMENTS
A-151/19	4 Campbell Avenue	Be advised that a building permit is required for the proposed semi-detached dwelling. 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-152/19	19 Adelene Cres.	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-153/19	21 Adelene Crescent	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-154/19	35 Oakdale Avenue	Be advised that building permits are required for the proposed accessory dwelling units.

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 25, 2019

Subject: Committee of Adjustment Hearing – December 11, 2019

PRCS has reviewed the Committee of Adjustment application for the hearing of December 11, 2019 and provides the following comments;

1. **391 Glenridge Avenue, Minor Variance, A-143/19 – 60.81.5577**
   No comment.

2. **290 Glendale Avenue, Consent, B-47/19SC – 60.84.2274**
   284 Glendale Avenue, Minor Variance, A-144/19 – 60.81.5578
   290 Glendale Avenue, Minor Variance, A-145/19 – 60.81.5579
   No comment.

3. **13 Cross Street, Minor Variance, A-146/19 – 60.81.5580**
   No comment provided that minimum requirements for front yard landscaping as establish in the Zoning By-law are provided.

4. **15 Glenbarr Road, Minor Variance, A-147/19 – 60.81.5581**
   No comment.

5. **33 Arthur Street, Consent, B-48/19SC – 60.84.2275**
   33 Arthur Street, Minor Variance, A-148/19 – 60.81.5582
   33A Arthur Street, Minor Variance, A-149/19 – 60.81.5583
   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. **2 Campbell Avenue, Consent, B-49/19SC – 60.84.2276**
   2 Campbell Avenue, Minor Variance, A-150/19 – 60.81.5584
   4 Campbell Avenue, Minor Variance, A-151/19 – 60.81.5585

   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.

7. **21 Adelene Crescent, Consent, B-50/19SC – 60.84.2277**
   19 Adelene Crescent, Minor Variance, A-152/19 - 60.81.5586
   21 Adelene Crescent, Minor Variance, A-153/19 – 60.81.5587
   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.

8. **35 Oakdale Avenue, Minor Variance, A-154/19 – 60.81.5588**
   No comment.

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

Memorandum

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

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

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

Date: December 5, 2019

Hearing Date: December 11, 2019

Subject: **Committee of Adjustment - Minor Variance Applications**
19 & 21 Adelene Crescent, A-152-153/19SC
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391 Glendale Avenue, A-143/19SC
57, 59 & 61 Merigold Street, A-155, 156 & 137/19SC REV
35 Oakdale Avenue, A-154/19SC

Development Engineering have no comment and have no objection to the above noted applications.

Regards,

Prepared by: Brad Johnston, C.E.T.
Development Engineering Technologist

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: December 6, 2019 **Date of Meeting:** December 11, 2019

Report Number: **A-154/19** **File:** **60.81.5588**

Subject: 35 Oakdale Avenue

Recommendation

That Application **A-154/19** by Oonuhseh-Niagara Native Homes Incorporated, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the Owner submit building permit plans to the satisfaction of the Director of Planning and Building Services, or her designate, substantially in accordance with the site plan and elevations attached hereto as Appendix 1, such plans to demonstrate that the interior accessory dwelling units located on the second floor are designed in such a manner that they are visually subordinate to the primary dwelling units on the ground floor; and
2. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, agreeing to construct the building in accordance with building permit plans to the satisfaction of the Director of Planning and Building Services, or her designate, as referenced in Condition 1 above.

Report

The Proposal

The Applicant proposes to demolish the existing residential building on the subject lands and to construct a two-storey semi-detached dwelling, with each of the two semi-detached units to include an interior accessory dwelling unit. To facilitate the proposal, Application **A-154/19** seeks relief from the Zoning By-law through an increase in the maximum floor area for an interior accessory dwelling unit from 40 per cent to 48 per cent.

Location and Site Description

The subject property is located on the south side of Oakdale Avenue, west of Merritt Street. The property is surrounded by a mix of low-rise dwelling types and forms.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E9 thereof. The proposed residential use is permitted on these lands at a density range generally between 20 and 32 units per hectare of land.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Semi-detached dwellings are permitted in the R2 zone. Accessory dwelling units are also permitted within a semi-detached dwelling, subject to the provisions of the Zoning By-law.

Planning Analysis

Zoning By-law 2013-283 permits one interior accessory dwelling unit in any semi-detached dwelling unit provided it has a floor area not greater than 60 square metres or 40 per cent of the overall floor area, whichever is less. The intent of the provision is to ensure the interior accessory dwelling unit is subordinate in terms of its scale and relationship to the primary dwelling unit.

The Applicant is requesting an increase in the floor area of each of the two interior accessory dwelling units from 40 per cent of the overall dwelling floor area to 48 per cent. The variance requested represents an increase of approximately 9.12 square metres for each of the accessory dwelling units. The Applicant has demonstrated that the accessory dwelling units will be modest in size and visually subordinate to the principal dwelling units, thereby meeting the general intent and purpose of the Zoning By-law. The proposed development, as a whole, is similar in terms of scale and siting to other buildings in the surrounding area. The proposed building meets all required setbacks and has laneway access allowing parking to be provided in the rear. Overall, the proposal is considered compatible with surrounding uses, and no additional impact is expected as a result of the increase in maximum floor area for the accessory units.

Section 2.3.3(f)(iv) of the GCP provides that new housing will be encouraged to support housing diversity for a range of life stages, incomes and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities. The requested variance would facilitate the introduction of accessible units that are suitable for residents who are differently-abled, thereby contributing to the diversity of available dwelling types in the city. The variance requested is therefore desirable and in keeping with the intent and purpose of the GCP.

As a condition of approval of the variance, staff are recommending that the Owner be required to enter into a development agreement with the City to ensure that the accessory dwelling units remain visually subordinate and that the overall development achieves a compatible fit within the context of the neighbourhood.

Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-154/19** is in keeping with the general intent of the Official Plan

and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the land. Staff recommend that the Application be approved, subject to the conditions outlined in the recommendation.

Prepared by:	**Submitted by:**	**Approved by:**
Sydney DiTomasso Student Planner	Charlotte McEwan Planner I	Amanda Knutson Planner II

Appendix 1

SITE STATISTICS

City of St. Catharines Zoning By-Law, December 16, 2013 - **Residential R2**

Semi-Detached Dwelling

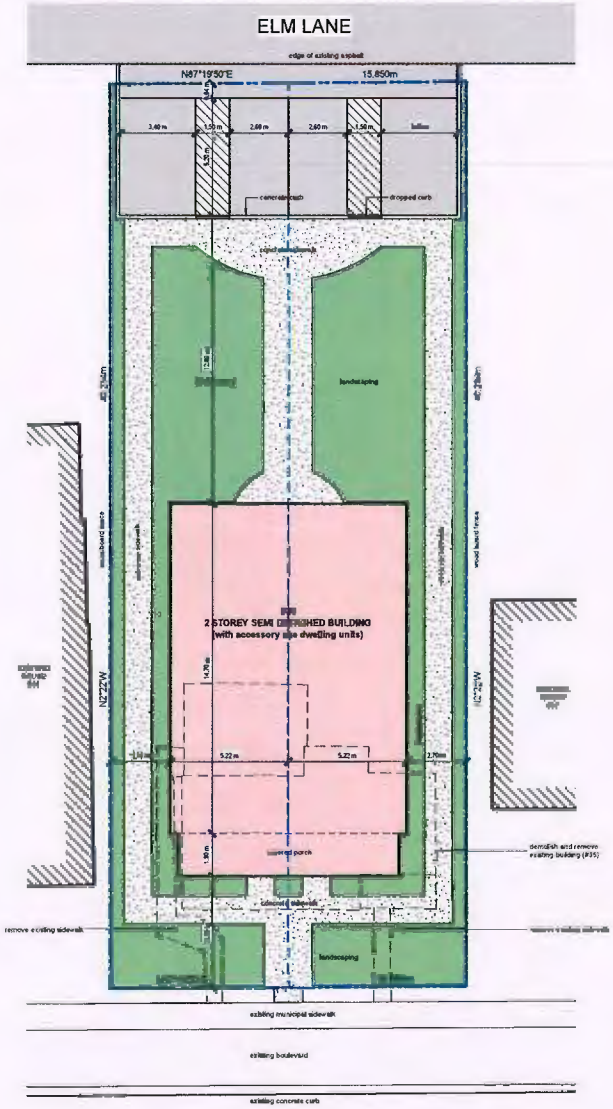
		REQUIRED	ACTUAL
a.	Minimum Lot Frontage (per unit)	7.5 metres	7.9 metres
b.	Maximum Lot Area (per unit)	465 sq metres	318.5 sq metres
c.	Minimum Front Yard	3 metres	5 metres
d.	Minimum Interior Side Yard	1.2 metres	1.41 metres & 3.98 metres
e.	Minimum Rear Yard	6 metres	18.23 metres
f.	Maximum Lot Coverage	45 %	27 %
g.	Maximum Height	10 metres	8.29 metres
h.	Minimum Landscaped Area	35 %	58.5 %

AREA CALCULATIONS

		COVERAGE
LOT AREA	637 sq metres	
BUILDING AREA	172 sq metres	27 %
ROADS & PARKING	92 sq metres	14.5 %
LANDSCAPING	373 sq metres	58.5 %

PARKING STATISTICS

OCCUPANCY	PARKING FORMULA	RES. UNIT	REQUIRED	PROVIDED
RESIDENTIAL	1 SPACES / UNIT	4 UNITS	4	4
ACCESSIBLE PARKING			1	2



Issued For Site Review

Oct. 2 2015

Proposed Semi-Detached Dwellings

Oonuhseh Niagara Native Homes

35 Oakdale Avenue, St. Catharines, Ontario

Site Plan

A1-000

DRAWN BY: —
DATE: 10/30/2019 2:34:47 PM
SCALE: 1/8" = 1'-0"
PROJECT NO.: 19-000
CHECKED: —

DRAWINGS ARE NOT VALID FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE ARCHITECT.

DO NOT SCALE DRAWINGS. REPORT ALL DISCREPANCIES TO THE ARCHITECT BEFORE PROCEEDING. ALL DRAWINGS AND DESIGNS REMAIN THE PROPERTY OF THE ARCHITECT AND ARE PROTECTED UNDER COPYRIGHT.

Proposed Semi-Detached Dwellings

Oonuhseh Niagara Native Homes

35 Oakdale Avenue, St. Catharines, Ontario

Floor Plans

A2-100

RAIMONDO + ASSOCIATES ARCHITECTS INC.
4487 Queen Street Suite 2, Niagara Falls, Ontario, L2E 2L9
TEL: 905-357-4441 FAX: 905-357-6203
WEB: [illegible]
EMAIL: [illegible]

ONTARIO ASSOCIATION OF ARCHITECTS

A	Oct. 30 2019	Issued For Minor Variance

Proposed Semi-Detached Dwellings

Oonuhseh Niagara Native Homes

35 Oakdale Avenue, St. Catharines, Ontario

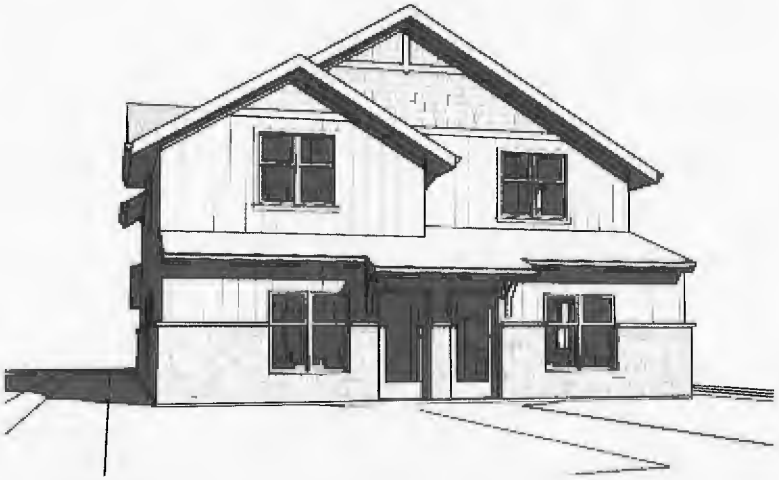
Building Elevations

RAIMONDO + ASSOCIATES

4487 Ocean Street Suite 2, Niagara Falls, Ontario, L2E 2L9
TEL. 905-357-6441 FAX. 905-357-6205
WEB. www.raimondoarchitects.com
EMAIL. mail@raimondoarchitects.com

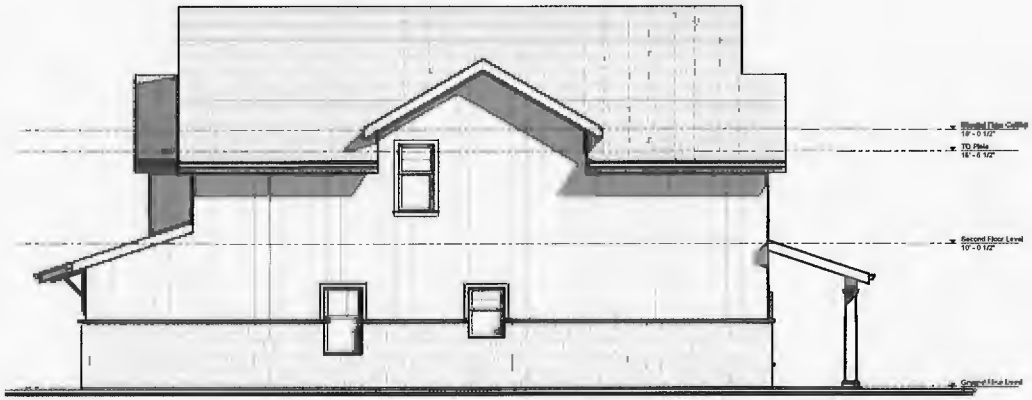
A Oct. 30 2019 Issued For Minor Variance

A3-000



South Perspective

Elevation - South
1/4" = 1'-0"



Elevation - East
1/4" = 1'-0"

Issued For Minor Variance

Oct. 30 2015

RAIMONDO + ASSOCIATES

Proposed Semi-Detached Dwellings

Corriveau Niagara Native Homes

35 Oakdale Avenue, St. Catharines, Ontario

Building Elevations

DRAWN BY:
DATE:
SCALE:
PROJECT NO.:
CHECKED:

DRAWINGS ARE NOT TO BE SCALED FOR CONSTRUCTION UNTIL SEALED BY THE ARCHITECT OR ENGINEER.

DO NOT SCALE DRAWINGS. REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT OR ENGINEER. THE DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF THE ARCHITECT AND ARE TO BE RETURNED AT THE COMPLETION OF THE WORK.

ALL WORK TO BE CARRIED OUT IN ACCORDANCE WITH THE ONTARIO BUILDING CODE, 1997 AND ALL LOCAL BUILDING BY-LAWS, ORDINANCES, REGULATIONS, LAWS AND ORDERS.

A3-001

St. Catharines

Memorandum

To: Elaine Munro
Committee Secretary & Planning Technician

Cc:

From: Steve Bittner
Transportation Technologist

Date: December 6, 2019

Subject: Committee of Adjustment
Public Hearings – December 11, 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/