
Agenda

1. Chair to call the Hearing to Order
2. Recognition of Traditional Territories
3. Additions/Deletions to the Agenda
4. Declarations of Interest
5. Request for Withdrawal or Adjournment
Item No. 2. - 114 Lake Street, Consent, B-42/19SC – 60.84.2289 and 114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
Request for deferral by Staff and supported by Owner to defer the applications for 6 months in order to give Owner opportunity to work on the partial discharge of mortgage.
6. Motion to Adopt the Minutes of the previous Hearing held on February 5, 2020.
7. Application:
 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620
 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606
 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607
 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612
 6. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613
 7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289
389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290
389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614
35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615
37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616
 8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291
14 Ashford Place, Consent, B-15/20SC – 60.84.2292
12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617
14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618
16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619
 9. 1302 President Court, Consent, B-16/20SC – 60.84.2293
8. New Business:
 - i) Request to Confirm Corrected Minor Variance, A-18/19, 24 Woodmount Drive
 - ii) Discussion on receiving Notices of Hearing, applications and sketch via email.
9. Date of next Hearing: March 25, 2020
10. Adjournment

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

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

COMMENTS

A-30/20 (60.81.5620)

237B Scott Street

DATE OF HEARING:
February 26, 2020



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: A-30/20

File: 60.81.5620

Subject: 237B Scott Street

Recommendation

That Application **A-30/20** by Southport Builders Niagara Inc., as outlined in the Notice of Hearing, be approved.

Report

Background

Application **A-30/20** follows then-concurrent Applications **B-02/20SC** and **A-02/20**, which were made to facilitate the construction of a semi-detached dwelling. Due to the 3.05 metre road allowance widening to be taken along Scott Street as a condition of provisional consent, staff recommended that the proposed driveway for 237B Scott Street be shifted easterly since it could no longer be accommodated in the location proposed at that time. However, the revised driveway location results in the need for an additional variance to reduce the width of a standard parking space obstructed on one side from 3.0 metres to 2.85 metres.

The Proposal

Minor Variance Application **A-30/20** seeks relief from the City of St. Catharines Zoning By-law 2013-283 through a reduction of the width of a standard parking space obstructed on one side from 3 metres to 2.85 metres. The Variance will facilitate the relocation of the driveway to the east side of the semi-detached dwelling unit.

Location and Site Description

The subject property is quadrilateral-shaped, located on the north side of Scott Street between Sherman Drive and Benson Drive. The property is surrounded by detached dwellings to the north, east and west. Two five-storey apartment buildings and a church are located to the south.

There is an existing two-storey detached dwelling located on the subject lands. The Applicant proposes to demolish the existing attached garage to facilitate the addition of a second two-storey dwelling unit, resulting in a semi-detached dwelling. The easterly boulevard tree will be removed to accommodate the new driveway.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1 thereof. 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 – Suburban Neighbourhood (R1). Semi-detached dwellings are permitted.

Planning Analysis

Application A-30/20

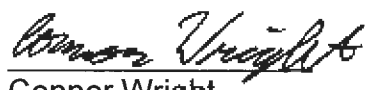
Zoning By-law 2013-283 establishes a minimum 3.0-metre width for a standard parking space obstructed on one side. The intent of the provision is to ensure that there is sufficient space for manoeuvring, not only for the vehicle itself, but also for occupants exiting the vehicle.

The Applicant is requesting that the minimum width of a standard parking space obstructed on one side (in this case by the easterly wall of the existing dwelling) be reduced from 3.0 metres to 2.85 metres. Staff are satisfied that, notwithstanding the reduction of its width by 0.15 metres, a functional driveway will result, obstructed on one side for only a portion of its depth. The door of a vehicle will be able open into that portion of the space that is 3.0 metres in width. Staff are of the opinion that the variance is minor in nature, is 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 are recommending that the variance be approved.

Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-30/20** 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 variance be approved.

Prepared and Submitted by:



Connor Wright
Student Planner

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 1

237B Scott Street
114 Lake Street
1688 Gregory Road

From: Doug Crown <doug.crown@cogeco.com>
Sent: Thursday, February 6, 2020 3:06 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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 Ext 8434 | C 905-401-9967



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

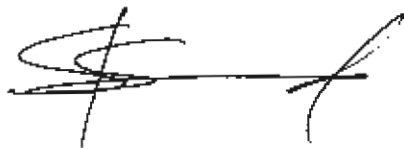
From: Brian Thiessen, Building Manager of Plans Examination
Planning and Building Services

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

1. **237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.
2. **114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.
3. **1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.
4. **23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.
5. **43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

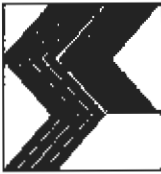
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That payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining 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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

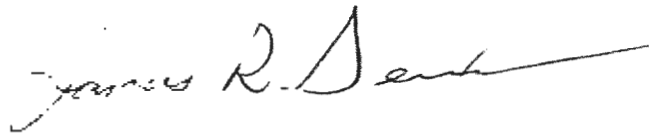
to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

A handwritten signature in black ink, appearing to read "James R. Denham", with a long horizontal flourish extending to the right.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-16/20 (60.81.5606)

1688 Gregory Road

DATE OF HEARING:
February 26, 2020

Dear Secretary Treasurer, Elaine Munro February 11 2020

In response to the application for a Variance from Orchard Park Growers LTD. Our Property on Seventh St. backs directly on to Orchard Park Growers Ltd on Gregory Rd. We Peter and Deborah Wiebe are very concerned about the effects This variance will have on our Health and the well being of our Tenant MaryLou McDonald and our surrounding Neighbours.

Orchard Park growers recently expanded their green houses as per application b-12/15SC and minor variance A-01/15. Our concerns are as follows

Light Pollution, Noise Pollution from Exhaust Fans running constantly, Gas Emissions, Over spray from Redusol white washing spray used to protect the plants from the Sun, The Destruction of Valuable Agricultural Land for which this area is zoned.

We are worried about the devaluation this will cause to Our Property and the obstruction we will have to live with destroying our Beautiful Sky line views we have valued for over 30 years. A major Concern that has recently moved into this area is the growing of Cannabis crops which brings with it a unbelievable stench and causes a higher risk of crime. In addition to all this we will have yet a even higher volume of large truck traffic in the area which has been a problem for Seventh St for a number of years. We are Already surrounded by a large number of Green House operations in this area as well as a huge Poultry operation which emits a horrible fowl odor and volume of noise pollution from their fans. In closing, we are sure you will agree that we are putting up with enough daily abuse and shouldn't have to live with any more. Please help us save what is left of our Beautiful Green Space,

As per this application We strongly say No and recommend the Committee Rejects this Proposal by Orchard Park Growers. Thank You Peter and Deborah Wiebe 1689 Seventh St. L2R6P9 905 [REDACTED]

Deborah Wiebe Peter Wiebe [REDACTED]

February 11 2020

DATE	FILED	INFO	P.D.S.	REFERRER TO	INIT.
				<i>E. Munro</i>	
DATE REC'D →			FEB 14 2020		SCAN <input type="checkbox"/>
FILE NO					



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: A-16/20

File: 60.81.5606

Subject: 1688 Gregory Road

Recommendation

That Application **A-16/20** by Orchard Park Growers Ltd., as outlined in the Notice of Hearing, be approved.

Report

Background

Application **A-16/20** follows Application **B-12/15SC**, which was made in 2014 for consent to establish an access easement over the neighbouring property at 1672 Gregory Road to the benefit of the subject lands. Then-concurrent Minor Variance Application **A-01/15** was made to allow reduced side yards, which facilitated a greenhouse expansion.

The Proposal

The Applicant proposes to further expand the existing greenhouse. While not clearly illustrated on the submitted site plan, the greenhouse does not sit square in relation to the lot boundaries. This means that each time the greenhouse is expanded to the rear, new variances for reduced interior side yards are required. To facilitate the proposed expansion, Application **A-16/20** seeks relief from the City of St. Catharines Zoning By-law 2013-283 through the variances detailed below.

Variance #	Zoning Provision	Required	Proposed
1	Minimum Interior Side Yard (Northerly)	15 metres	9 metres
2	Minimum Interior Side Yard (Southerly)	15 metres	8 metres
3	Minimum Rear Yard	15 metres	5.2 metres

Location and Site Description

The subject property is located on the east side of Gregory Road, south of the Queen Elizabeth Way. The property is surrounded by agricultural uses to the north, south, and

east. Detached dwellings are located opposite the subject property on the west side of Gregory Road, and further east along Seventh Street.

A detached dwelling, accessory building and greenhouse complex currently occupy the subject property.

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 Agriculture on Schedules D1 and E11 of the Garden City Plan (GCP). The existing uses are permitted.

Zoning By-law (2013-283)

The subject property is zoned Agriculture (A1). The existing uses are permitted.

Planning Analysis

Zoning By-law 2013-283 sets out minimum 15 metre interior side and rear yard setbacks for agriculture farms, including greenhouses, in the A1 zone. The provisions are intended to provide an appropriate buffer between agricultural buildings and abutting properties, mitigating any nuisance that might result from machinery access, greenhouse fans, lighting, etc.

The Applicant seeks relief from the Zoning By-law through a reduction of the minimum 15 metre yards to: 9 metres for the northerly side yard; 8 metres for the southerly side yard; and 5.2 metres for the rear yard. The variances are requested to facilitate a proposed expansion of the greenhouse.

The lands to the north, east, and south of the greenhouse expansion are open areas used in cultivation; there are no buildings or structures, including residential dwellings in the immediate area. Residential homes along Seventh Street are located approximately 175 metres away from the rear lot line of the subject lands. Building permit plans show that all fans and vents for the expansion will be mounted on the roof – a preferred approach to exterior wall-mounted fans. Further, a landscape buffer exists along approximately one-half of the length of the rear lot line, providing additional separation between uses. No new impacts are anticipated as a result of the requested variances.

The Official Plan supports the utilization of agricultural land for the purpose of sustainable agricultural production and practices, and in doing so, supports a viable agriculture land economy and employment base. It is staff's opinion that maximization of the agricultural use on the subject lands is in keeping with the intent of the Official Plan and, further, desirable for their appropriate use. Staff are recommending that Application **A-16/20** be approved.

Conclusion

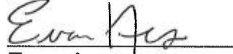
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-16/20** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application, accordingly.

Prepared by:


Connor Wright

Student Planner

Submitted by:


Evan Acs

Planner I

Approved by:


Amanda Knutson

Planner II

Via Email Only

February 14, 2020

Our File: MV-20-0003

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

Dear Ms. Munro,

Re: Application for Minor Variance
Applicant: Orchard Park Growers Ltd.
Location: 1688 Gregory Road, City of St. Catharines
Town File NO.: A-16/20

Niagara Region Development Services Division has reviewed the information circulated for the above-noted application and provides the following comments to assist the City in its consideration of this application.

Private Sewage System Review

Private Sewage System staff have reviewed the minor variance application for the proposed addition to the existing greenhouse. A septic permit was issued by our Department in 2015 for a replacement system, which is located on the west side of the property. The only remaining land on-site for septic use is on the east side of the lot and the greenhouse expansion will eliminate this area for use in upgrading the septic system. Therefore, no additional sewage flows will be permitted on the property (ex. no increase in employees, office space or living areas).

Therefore, we have no objections to the proposed minor variance provided there are no increases to sewage flows as a result of the greenhouse addition. Confirmation of sewage flow rates can be done at the building permit stage.

Tanya Killins
Private Sewage System Inspector
Planning & Development Services
Niagara Region
Phone: 905-980-6000 ext. 3358 Toll-free: 1-800-263-7215

Cc: Elissa Quintanilla, Development Planner, Planning and Development Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing

1688 Gregory Road

From: Sarah Mastroianni <smastroianni@npca.ca>

Sent: Tuesday, February 18, 2020 3:55 PM

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

Cc: Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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,

Please note that NPCA has no objections to the approval of this application to permit the proposed addition to the existing greenhouse.

Thank you.

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

NPCA Watershed Explorer

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 1

237B Scott Street
114 Lake Street
1688 Gregory Road

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

Sent: Thursday, February 6, 2020 3:06 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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 Ext 8434 | C 905-401-9967



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

1. **237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.
2. **114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.
3. **1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.
4. **23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.
5. **43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-17/20 (60.81.5607)

23 Lincoln Avenue

DATE OF HEARING:
February 26, 2020



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 19, 2020

Date of Meeting: February 26, 2020

Report Number: A-17/20

File: 60.81.5607

Subject: 23 Lincoln Avenue

Recommendation

That Application **A-17/20** by Growth Social House Inc., as outlined in the Notice of Hearing, be approved.

Report

Background

Application **A-17/20** follows Application for Consent **B-40/18SC** made in May of 2018 to sever 387 square metres of land from the easterly portion of 21 Lincoln Avenue, creating the subject lands known as 23 Lincoln Avenue. Then-concurrent Minor Variance Application **A-113/18** was made to reduce the minimum lot frontage of the new lot from 10 metres to 9.14 metres and to permit the attached garage to protrude beyond the front face of the dwelling. A building permit was issued for the proposed dwelling on 23 Lincoln Avenue in November, 2019; construction is currently underway.

The Proposal

Application **A-17/20** seeks relief from the City of St. Catharines By-law 2013-283 through a minor variance in order to reduce the required number of parking spaces for an interior accessory dwelling unit from 1 space to 0 spaces. The variance is requested to facilitate the construction of a two-storey dwelling with an interior accessory dwelling unit where the proposed garage is too narrow to meet the Zoning By-law requirements for a parking space that is obstructed on both sides.

Location and Site Description

The subject property is located on the north side of Lincoln Avenue, opposite Waite Lane. The property is primarily surrounded by detached dwellings, with semi-detached dwellings located to the north. Light industrial and commercial uses are located to the east, separated from the subject lands by a chain link fence and mature trees.

A detached dwelling is currently under construction on the subject lands.

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. 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 Residential (R2). The R2 zone permits detached dwellings. One interior accessory dwelling unit is permitted in any detached dwelling, provided that it is located entirely within the exterior walls of the principal dwelling, conforms to the maximum unit size requirements, and complies with all other provisions of Zoning By-law 2013-283. The minimum parking space requirement per interior accessory dwelling unit is one (1) parking space.

Planning Analysis

The Applicant is requesting that the required parking space for an interior accessory dwelling unit be reduced from one (1) space to zero (0) spaces. Zoning By-law 2013-283 requires a minimum of one (1) parking space for a detached dwelling, and one additional space if the dwelling contains an interior accessory dwelling. These spaces are permitted to be in tandem.

Section 5.4.2 of the Garden City Plan (GCP) states that the City may consider the reduction or elimination of vehicular parking requirements where transit is readily available, and where reduced vehicular parking will not aggravate the existing parking supply, nor result in unacceptable levels of spill-over parking in adjacent areas. The subject lands are within walking distance (~250 metres) to bus stops along Oakdale Avenue (Routes 304 and 404), providing transit service to the Downtown Terminal and the Pen Centre. There is also street parking available along the south side of Lincoln Avenue which may provide parking for visitors or local residents if and when it is available. The reduction of one parking space is not expected to impact the parking supply in the area, nor cause unacceptable spillover parking in the neighbourhood. Staff are of the opinion that that requested parking reduction maintains the intent of the Official Plan.

The intent of the parking requirements of the Zoning By-law is to ensure sufficient parking is provided on the site for the residential units. The lot currently has one parking space in front of the garage which is adequately sized to serve as a parking space for the principal dwelling unit. The garage itself is not recognized as a parking space because it does not meet the minimum width of 3.5 metres required for a parking space that is obstructed on both sides. Staff note that the garage has a width of approximately 3 metres, which could potentially fit a vehicle, albeit a tight fit. While not formally recognized as a parking space,

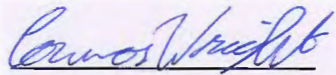
the garage may provide room for a second vehicle on the site if necessary. On-street parking is also available in the immediate area. As such, Staff are satisfied that there are sufficient options to accommodate parking and that there would be little or no impact on the neighbourhood. Staff are of the opinion that the requested reduction is minor in nature and maintains the intent of the Zoning By-law.

The reduction in required parking is requested to facilitate the construction of an accessory dwelling unit. An accessory unit is considered a desirable use for the property as it contributes to the number and variety of residential units available in the area. Given the negligible impact expected from a parking reduction of this magnitude in this location, the requested variance is considered appropriate for the desirable use of the lands.

Conclusion

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Application **A-17/20** 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 the Application be approved.

Prepared by:



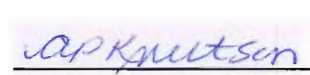
Connor Wright
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2 of 3

From: Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>

Sent: Thursday, February 13, 2020 9:25 AM

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

Cc: Polus, Asia (MTO) <Asia.Polus@ontario.ca>; Lawrence, Morgan (MTO) <Morgan.Lawrence@ontario.ca>

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2 of 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.

Good morning Elaine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

A-17/20 – 23 Lincoln Avenue

A-24/20 – 389 Grantham Avenue

A-25/20 – 35 Buchanan Road

A-26/20 – 37 Buchanan Road

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

Paul Nunes | Corridor Management Officer

Ministry of Transportation | Corridor Management Section | Niagara Region

159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7

(416) 235-5559 | paul.nunes@ontario.ca



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Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

23 Lincoln Avenue
43 Grandview Drive

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

Sent: Thursday, February 6, 2020 3:08 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

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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 Ext 8434 | C 905-401-9967

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

12 Ashford (All Applications)
23 Lincoln Avenue

From: Vasko, Dennis
Sent: Friday, February 7, 2020 8:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

Hi Elaine, no issues with subject property on Ashford. It's far enough away from the golf course which was an old landfill.

The property at 23 Lincoln is much closer to landfill but if it's just parking spaces that are being affected, all good.

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: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services


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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

- 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.

- 2. 114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.

- 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.

- 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.

- 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

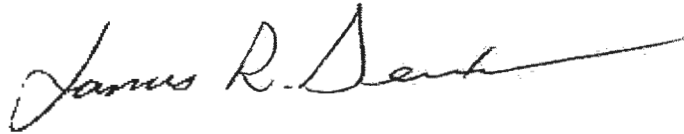
to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-11/20SC (60.84.2288), A-21/20
(60.81.5611) & A-22/20 (60.81.5612)**

43 Grandview Drive

**DATE OF HEARING:
February 26, 2020**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: B-11/20SC
A-21/20
A-22/20

File: 60.84.2288
60.81.5611 (43A Grandview Drive)
60.81.5612 (43B Grandview Drive)

Subject: 43 Grandview Drive
(to become 43A Grandview Drive and 43B Grandview Drive)

Recommendation

Consent

That Application **B-11/20SC** by Michael Yagar, 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 (Parts 1 & 2), addressing the following conditions:
 - a. 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 Appendices "1" and "2", respectively.
 - b. That privacy fencing be installed between any raised deck with a reduced setback and the corresponding lot line.
 - c. That the Owner submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
 - d. That payment of 5% of the appraised value of the new lot, as determined by a qualified appraiser, be made to the City 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'.
 - e. That the Owner have prepared by a qualified Ontario Land Surveyor or professional engineer an individual lot grading and drainage plan to demonstrate that runoff from Parts 1 & 2 on the submitted sketch can be conveyed to a suitable outlet without impacting abutting properties.
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 building.
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 satisfy the Chief Building Official that the existing dwelling at 43 Grandview Drive complies with the spatial separation requirements of the Ontario Building Code as it relates to the proposed new rear lot line.
6. That the Owner obtain a permit for demolition of the existing detached garage located on Part 2 of the submitted sketch, which demolition shall be completed to the satisfaction of the Chief Building Official.
7. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 payable to the Treasurer, City of St. Catharines.
8. That final approval of the concurrent Minor Variance Applications be received by the Committee of Adjustment.
9. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcels, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
10. That all conditions of consent be fulfilled by February 26, 2021.

Minor Variance

That Application **A-21/20** by Michael Yagar, as outlined in the Notice of Hearing, be approved.

That Application **A-22/20** by Michael Yagar, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

There is an existing one-storey detached dwelling on the eastern portion of the subject lands known municipally as 43 Grandview Drive. The Applicant proposes to sever the lot in order to construct a two-storey detached dwelling on the western portion of the lands.

To facilitate the proposal, Application **B-11/20SC** is made for consent to a partial discharge of mortgage and to sever 280 square metres of land (Part 2 on the submitted sketch), creating a new lot to be known as 43A Grandview Drive. A 336 square metre remnant parcel (Part 1 on the submitted sketch), to be known as 43B Grandview Drive, would be retained for continued use of the existing detached dwelling.

Concurrent Minor Variance Applications **A-21/20** and **A-22/20** seek relief from Zoning By-law 2013-283 through the variances detailed below.

Application	Variance #	Zoning Provision	Requirement	Proposal
A-21/20 43A Grandview Drive (Part 2)	1	Minimum Setback from Front Lot Line for a Platform Structure	3 metres	2.4 metres (proposed front porch)

		with a height above the grade less than 1.2 metres		
	2	Minimum Lot Area	300 square metres	280 square metres
A-22/20 43B Grandview Drive (Part 1)	1	Minimum Setback from Rear Lot Line for a Platform Structure with a height above the grade more than 0.6 metres and less than 1.2 metres	3 metres	0 metres (existing rear deck)
	2	Minimum Rear Yard Setback	6 metres	4.2 metres

Location and Site Description

The subject property is a corner lot located at the eastern end of Grandview Drive. The property is primarily surrounded by detached and semi-detached dwellings to the north, west, and south with natural woodland areas to the east.

The subject property is presently occupied by a detached dwelling and an accessory building. The accessory building will be demolished should the consent and variances be granted.

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 E2 thereof. The Low Density Residential designation permits detached dwellings 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). The R2 zone permits detached dwellings.

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 Application **B-11/20SC** requests to sever the subject property for the purpose of constructing a new two-storey dwelling on the new lot. While the size of the proposed lot is smaller than what is required by the Zoning By-law, the proposal is generally in keeping with the character of the neighbourhood, both in terms of lot size and the size of the proposed dwelling. A detached dwelling on these lands would result in a density of approximately 36 units per hectare, generally aligning with the density parameters prescribed in the Garden City Plan. Staff are of the opinion that the 20 square metre reduction in lot area is minimal; the proposal demonstrates that there is sufficient space to accommodate parking, landscaping, and amenity areas for both parcels. The additional dwelling unit is desirable as it will contribute to the City's housing supply through an efficient use of occupied lands. There are no anticipated impacts as a result of the severance and staff are recommending approval of the Application accordingly, subject to the conditions outlined herein.

Design Review Panel (DRP)

City of St. Catharines Council directed the establishment of the DRP to provide design recommendations on proposals for new lot creation. Feedback from the DRP is advisory in nature. Council further directed that City staff routinely require development agreements to be registered on title as a condition of provisional consent to enforce conditions for design of future development.

The Applicant's proposal was submitted to the DRP for consideration in November of 2019. DRP members had no concerns with the proposed lot creation but identified some concerns with the proximity of the existing rear deck on the retained lot to the proposed dwelling. Members suggested that privacy screening should be introduced between the deck and the new home, or that the deck be modified/removed. DRP members also encouraged the retention of the two large coniferous trees in the front lawn or their replacement with similar columnar tree plantings. The DRP supported the proposed severance, in accordance with the plans circulated at the meeting, and subject to the following conditions:

1. That privacy fencing be installed between any raised deck with a reduced setback; and
2. That replacement plantings be provided in the front yard to reflect the existing streetscape character.

Staff are in agreement with the first condition and suggest that it be included in the development agreement recommended herein as a condition of provisional consent. The DRP's second condition will be adequately addressed by the requirement for a boulevard tree to be planted in front of the new dwelling.

Minor Variance

Application A-21/20 – Variance 1

Zoning By-law 2013-283 establishes a minimum 3.0 metre setback from the front lot line for a platform structure that is less than 1.2 metres in height above grade. This provision

is intended to ensure the platform structure does not overwhelm the street; to maintain a degree of separation from the road allowance for the safety of dwelling occupants; and to ensure sufficient space for landscaping, amenity areas, and stormwater management is maintained.

The Applicant is requesting a reduction of the minimum 3.0 metre front yard setback to a platform structure so that the proposed front porch, which will be 0.6 metres in height above grade, may be located 2.4 metres from the front lot line on Grandview Drive.

Notwithstanding its location relative to the front lot line, the proposed front porch will be setback approximately 10 metres from the edge of pavement along Grandview Drive, providing adequate separation from the public realm (there are no sidewalks along Grandview Drive). Further, the porch will provide desirable architectural interest and amenity space for dwelling occupants. Staff are of the opinion that the requested variance is minor in nature, desirable for the appropriate use of the land, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff are recommending approval of Variance 1 of Application **A-21/20**.

Application A-21/20 – Variance 2

Zoning By-law 2013-283 establishes a minimum lot area of 300 square metres for a detached dwelling. The intent of the minimum lot area provision is to ensure that a building envelope can comfortably fit within the boundaries of the property, while ensuring that adequate space is maintained for outdoor amenity areas, landscaping, parking, and stormwater management. The minimum lot area provisions also ensure a generally consistent lot fabric and built form within the neighbourhood. Additionally, minimum and maximum lot area requirements are tools to regulate population density.

The Applicant is requesting a reduction of the minimum lot area from 300 square metres to 280 square metres to facilitate the proposed severance. As detailed in the analysis of consent, staff are of the opinion that the 20 square metre reduction in lot area is minor in nature and consistent with the density parameters outlined in the GCP. In order for an alternate proposal to conform to the minimum lot area, the Applicant would require a greater setback reduction for the existing dwelling and would be required to modify or remove the existing deck. Rather, the proposed lot boundary location is appropriate in that it will accommodate the proposed dwelling and will create minimal non-compliance with the Zoning By-law. Staff are satisfied that the location of the proposed new lot line, and resulting lot size, is appropriate for the subject lands, given the existing conditions, and are recommending approval of Variance 2 of Application **A-21/20** accordingly.

Application A-22/20 – Variance 1

Zoning By-law 2013-283 establishes a minimum setback from a rear lot line of 3.0 metres for platform structures, such as raised 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 existing 0.9-metre-high rear deck associated with the existing detached dwelling to 0.0 metres. The variance is

required as a result of the new lot line to be created. As referenced above, the location of the new lot line is appropriate, as a severance any further away from the rear deck of 43B Grandview Drive would require a further reduction in lot area for the proposed dwelling on 43A Grandview Drive in addition to a reduction in its side yard. Staff are satisfied that, with the provision of a privacy screen between the existing deck and adjacent yard, as recommended herein, sufficient visual separation will be provided and no adverse impacts will result. Staff are recommending approval of Variance 1 of Application **A-22/20**.

Application A-22/20 – Variance 2

Zoning By-law 2013-283 establishes a 6 metre minimum rear yard setback between the rear wall of a dwelling and the rear lot line. The intent of the rear yard setback is to ensure sufficient rear yard amenity space can be provided, to provide adequate separation between neighbouring structures, and to ensure the building mass is proportional to the size of the lot.

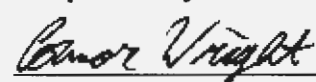
The Applicant is requesting a reduction in the minimum rear yard setback from 6.0 metres to 4.2 metres to facilitate the proposed severance. Staff are supportive of this reduction as the remnant parcel maintains sufficient amenity space on all other sides of the building. As outlined in the recommendation, a privacy screen would not only address privacy and overlook concerns as it relates to the rear yard deck, but also the reduced rear yard. Further, the existing dwelling is one-storey in height and, as such, does not have glazed openings in a position that would overlook the privacy screen. Staff consider the requested variance to be minor in nature, desirable for the continued residential use of the lands, and in keeping with the general intent and purpose of the Official Plan and Zoning By-law. Staff are recommending approval of Variance 2 of Application **A-22/20**.

Conclusion

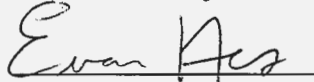
Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-11/20SC** is compatible with the neighbourhood, consistent with the provisions of the Zoning By-law, and will have no adverse impacts on the surrounding area and environment. It is staff's 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-21/20** and **A-22/20** 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.

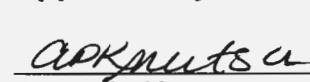
Prepared by:


Connor Wright
Student Planner

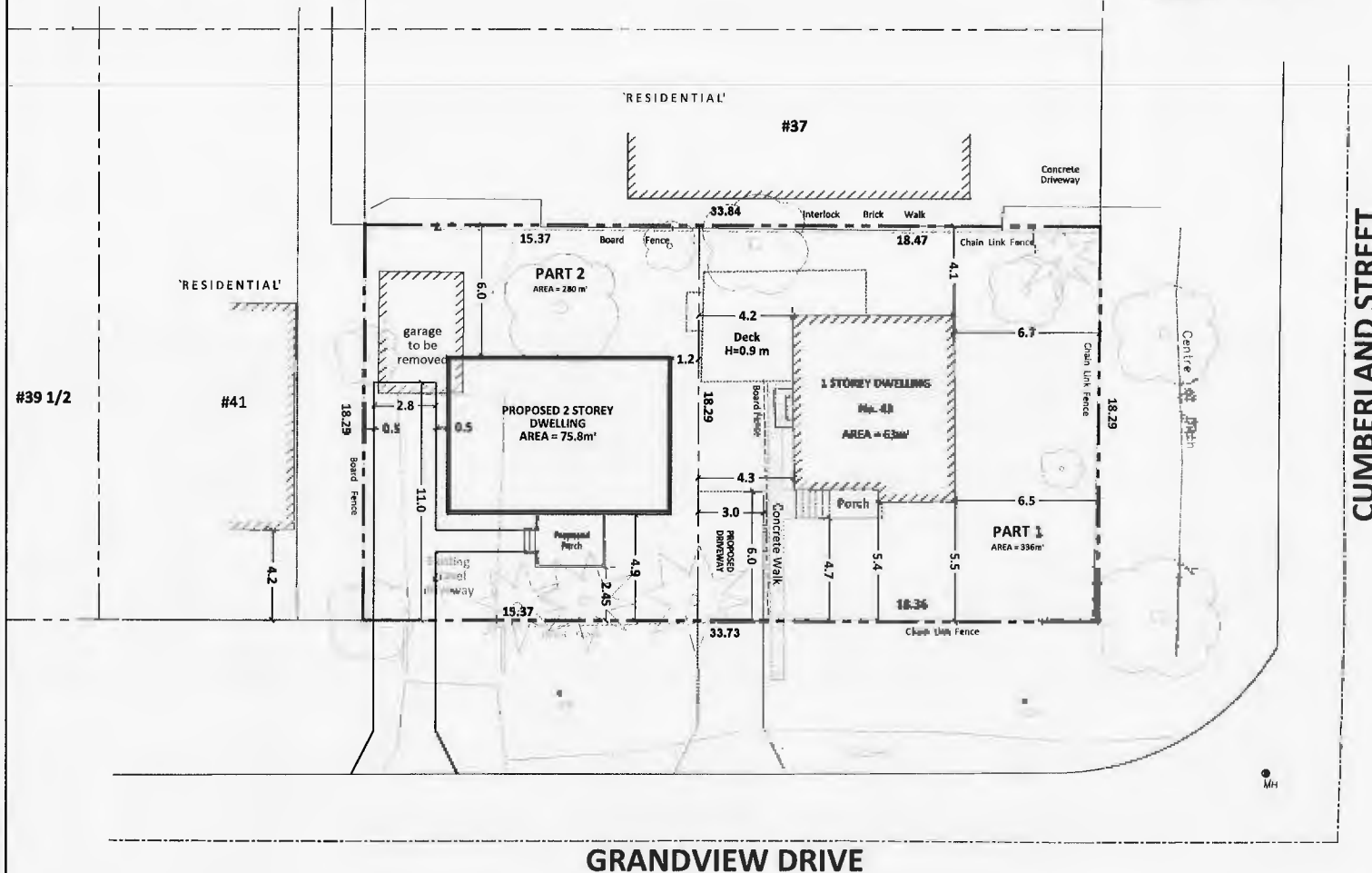
Submitted by:


Evan Acs
Planner I

Approved by:


Amanda Knutson
Planner II

Appendix 1



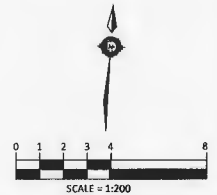
LAND USE SCHEDULE 43

	(m ²)	%
BUILDING COVERAGE	63	19
PAVEMENT COVERAGE	18	5
LANDSCAPE COVERAGE	255	76
TOTAL SITE AREA	336.0	100

LAND USE SCHEDULE 43A

	(m ²)	%
BUILDING COVERAGE	84	30
PAVEMENT COVERAGE	31	11
LANDSCAPE COVERAGE	165	59
TOTAL SITE AREA	280	100

PRELIMINARY



**better
neighbourhoods**
DEVELOPMENT CONSULTANTS

190A Ontario Street, St. Catharines, ON L2R 5K9
Studio: 905-684-8585 betterneighbourhoods.ca

PROJECT TITLE:

43 GRANDVIEW DRIVE,
St. Catharines, Ontario

DRAWING TITLE:

PRELIMINARY
SITE PLAN

DATE OF ISSUE:

2019 12 30

DRAWING No:

0196 SP1

REV No:

0



43 GRANDVIEW DRIVE
ST. CATHARINES

FRONT ELEVATION
DEC. 18/19

PRELIMINARY

CLOSS DESIGN
GROUP INC.

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

23 Lincoln Avenue
43 Grandview Drive

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

Sent: Thursday, February 6, 2020 3:08 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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 Ext 8434 | C 905-401-9967

February 13, 2020

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

Attention: Elaine Munro

File# 60.81.5611, 60.84.2288 & 60.81.5612

Re: 43A, 43 and 43B Grandview Dr

In response to your correspondence dated February 4, 2020, 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.

Alectra Utilities Corporation

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

alectrautilities.com

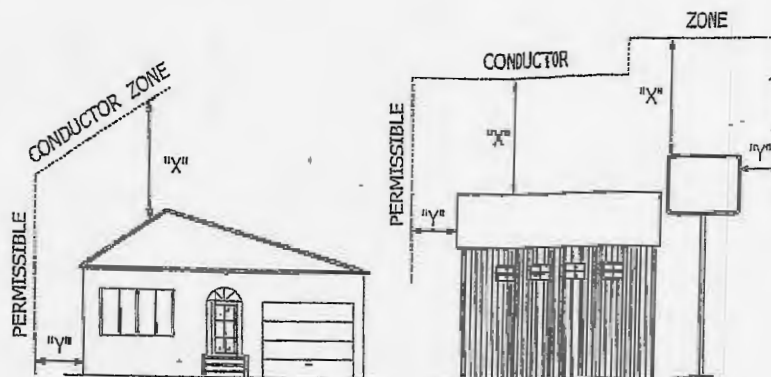
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal,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

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

Sincerely,



Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond...

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

MINIMUM CONDUCTOR CLEARANCES FROM
BUILDINGS, PERMANENT STRUCTURES OR
BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #

3-105

DRAWINGS
NOT TO SCALE

REVISION

1 0



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 26, 2020 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-11/20SC – 43 Grandview Drive

Comment:

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

Condition:

- Be advised that a demolition permit is required for the existing detached garage on Part 2.

B-12/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 1.

Condition:

- No comment

B-13/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 2.

Condition:

- Be advised that a demolition permit is required for the existing pool on Part 2.

B-14/20SC – 12 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-15/20SC – 14 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-16/20SC – 1302 President Court

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 3.

Condition:

- No comment

A handwritten signature in black ink, appearing to be 'S. Sunderland', written over a horizontal line.

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



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

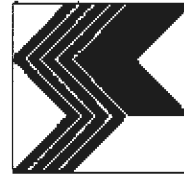
NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	No Comment



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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-11/20SC



February 7th, 2020

ENGINEERING FILE 300-36

Hearing Date: February 26th, 2020

Applicant: Michael Yagar

Location: 43 Grandview Drive

MUNICIPAL SERVICES

Water:	150mm P.V.C.
Sanitary:	250mm Clay
Storm:	375mm (Material Unknown)
Sidewalks:	No
Road Allowance:	20m±

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

Comment(s): It is noted that the Owner proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive.

Roads

Grandview Drive and Cumberland Street are both designated as Local roads in the City's Official plan with a desired right-of-way width of 20.0m. Both their current widths are +/-20m. Therefore, the City shall not require a widening at this time.

Sidewalks do not exist along the frontages of the subject property and are not included on the City's list of priority sidewalks. Therefore, no contribution for future sidewalks is required at this time.

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. 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 exist at this location on Grandview Drive, the sump

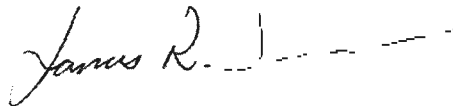
pump must through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and the discharge pipe shall be shown on the lot grading and drainage plan. Rain water leaders (downspouts) shall be directed/discharged to the front and/or rear of the lot, in accordance with the applicable By-law. 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 the water and sewer service laterals currently in use 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 required to install new water, sanitary and storm sewer services for the new lot from the City owned sewer main and watermain to the front property line during the building permit process.

Condition(s):

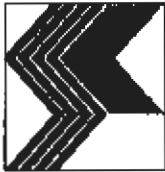
Prior to the severance finalization the Owner shall;

- Pay the fee for City crews to locate, trace, inspect and document the sewer and water laterals servicing the existing dwelling; and
- If determined existing services will 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 to the City the fees required to install new water and sewer services from the City mains to the individual front property lines in order for each lot to be serviced independently; 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.



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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

- 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.

- 2. 114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.

- 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.

- 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.

- 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

No comment.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

A-23/20 (60.81.5613)

9 Blair Crescent

**DATE OF HEARING:
February 26, 2020**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: A-23/20

File: 60.81.5613

Subject: 9 Blair Crescent

Recommendation

Minor Variance

That Application **A-23/20** by Anthony LaPointe and Daniela De Feo, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes to construct a second-storey addition above an existing one-storey detached dwelling. To facilitate the proposal, Application **A-23/20** seeks a reduction of the minimum required interior side yard for a detached dwelling from 1.2 metres to 0.66 metres.

Location and Site Description

The subject property is located on the east side of Blair Crescent, south of Eastchester Avenue. The property is surrounded by detached dwellings on all sides. The surrounding dwellings range in height from one to two storeys. The property is currently occupied by a detached dwelling and two accessory structures. The existing dwelling sits 0.66 metres away from the north side lot line.

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. Detached dwellings are permitted 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). Detached dwellings are permitted in the R2 zone.

Planning Analysis

The Applicant has requested a reduction in the minimum interior side yard setback from 1.2 metres to 0.66 metres to facilitate the addition of a second-storey to the existing dwelling which currently sits 0.66 metres from the north lot line. Approval of the variance would permit a second storey addition to be constructed in line with the existing first-storey setback, rather than being stepped back an additional 0.54 metres. The reduction is considered minor in nature.

The proposed setback reduction would facilitate an increase in the size of the dwelling. By building in line with the first storey the building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. The reduced setback for the second storey is considered desirable for the appropriate use of the subject lands.

The intent of the 1.2 metre minimum setback is to ensure that a sufficient buffer is maintained between structures on adjacent properties, and to facilitate on-site drainage and access to rear yards. The requested 0.66 metres setback is already established on the subject property for a single storey building. The proposed second storey addition will not change the existing drainage, nor the existing access to the rear yard. The addition will be required to comply with the spatial separation requirements of the Ontario Building Code to ensure the addition is constructed with regard for the reduced setback to the adjacent building. Staff consider the intent of the Zoning By-law to be upheld.

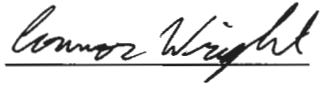
Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for context sensitive design to ensure the integration of compatible building form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. Adverse impacts on adjacent properties are to be minimized in regard to transition in height and privacy. The proposed side yard setback is not uncharacteristic of the area, nor is the proposed second storey, the height of which is similar to nearby two-storey dwellings. The reduced setback for the second storey is not expected to negatively impact the neighbouring property to the north. No windows are proposed along the north side of the proposed addition, mitigating privacy concerns. If any windows are added to the plans, they would only overlook the existing roof of the single storey dwelling to the north, which does not create privacy concerns. The proposal is in keeping with the intent of the Official Plan.

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.

Conclusion

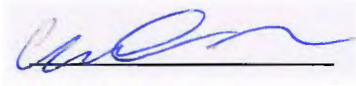
Having regard for the matters under Section 45(1) of the Planning Act, staff are of the opinion that Application **A-23/20** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend that the Application be approved.

Prepared by:



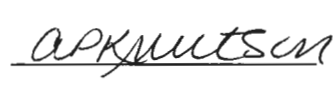
Connor Wright
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Amanda Knutson
Planner II

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 3

9 Blair Crescent
389 Grantham Avenue (B-12 & B-13/20SC and A-24/20)

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

Sent: Thursday, February 6, 2020 3:10 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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 Ext 8434 | C 905-401-9967

February 13, 2020

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

Attention: Elaine Munro

File# 60.81.5613

Re: 9 Blair Crescent

In response to your correspondence dated February 4, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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


We would also like to stipulate the following:

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

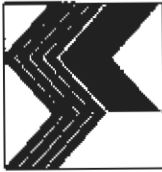
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)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

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Jakubowski', is written over a light purple rectangular background.

Mark Jakubowski
Supervisor, Design, Customer Capital



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

- 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.

- 2. 114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.

- 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.

- 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.

- 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

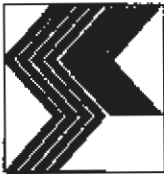
If Planning and Building Services determines that parkland dedication can be collected for this application CRCS requests the following condition of severance:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

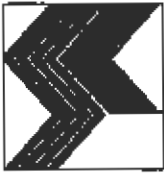
These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-12/20SC (60.84.2289), B-13/20SC
(60.84.2290), A-24/20 (60.81.5614), A-
25/20 (60.81.5615) & A-26/20 (60.81.5616)**

389 Grantham Avenue

**DATE OF HEARING:
February 26, 2020**

Attn: Elaine Munro, Secretary-Treasurer

February 12, 2020

Committee of Adjustment, City Hall

P.O. Box 3012 50 Church Street

St. Catharines, Ontario L2R 7C2

This is in regards to the public hearing notice for Gino Vendittelli at 389 Grantham Avenue

My husband and I are Ed and Linda Smith and we live across the street from the property in question.

Three years ago we received a notice of a hearing File No. 60.84.2088 Submission No. B-03/17SC as per application Mr. Vendittelli applied to sever the lot for the purpose of constructing a single detached dwelling. Emphasis on SINGLE DETACHED.

We were aware it was a double lot and had no objections to his request.

Today we received notice of a hearing File no. 60.84.2289 Submission No. B-12/20Sc, File no. 60.84.2290 Submission No. B-13/20SC, File No. 60.81.5614 Submission No. A-24/20, File No. 60.81.5615 Submission No A-25/20 and File No. 60.81.5616 Submission No.A-26/20.

Low and behold it has grown from a single detached dwelling to a duplex. Really!

We moved to this end of the city in 2004 because it was a well established part of town. Homes were spaced just far enough apart to allow for privacy but close enough to wave to your neighbor. The homes in this area have been here for some 60 years and for the most part the homeowners are the original owners who take pride in their homes and the property around them.

We understand the variances that have been applied for but question the lack of green space that this will create if this request is passed. Overcrowding on small lots has to stop. It is a strain on the infrastructure of the city. Two story duplex's do not fit in with the dynamics of the area.

IN A NUT SHELL WE DO NOT AGREE WITH ANY OF THE VARIANCES. NO DUPLEX

I certainly feel that if the application three years ago had been for the construction of a duplex instead of a single family dwelling that it would not have passed. We certainly would not have been in favor of it.

We think we have addressed our feelings to the hearing committee but ultimately it will not be up to us.

Please forward a copy of the Notice of Decision.

Thankyou Ed and Linda Smith

388 Grantham Avenue ()

393 Grantham Ave.
St. Catharines, Ont. L2M 5B2

Committee of Adjustment
P.O. Box 3013, 50 Church St.
St. Catharines, Ont. L2R 7C2

File # 60.84.2289

In answer to your notice of Hearing, application B-12/205C
Feb 24, 2020, Re 389 Grantham Ave.

I am appalled to the servance as this plan for housing
is completely foreign to the present bungalow in this
area. Its monstrosity is completely out of character
in this one story bungalow area. It will affect
values of homes. The new dwelling will sit too close
to other properties.

Please consider the residents of this area some
of whom have lived here for 60 years. We should
be considered

B. Joan Harely
393 Grantham Ave.
St. Catharines, Ont
L2M 5B2.

RPT	INFO	P.D.S.	
		REFERRED TO	INT.
		FEB 18 2020	
DATE REC'D	→	FEB 18 2020	SCAN <input type="checkbox"/>
FILE NO			



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: B-12/20SC
B-13/20SC
A-24/20
A-25/20
A-26/20

File: 60.84.2289 (35 Buchanan Road)
60.84.2290 (37 Buchanan Road)
60.81.5614 (389 Grantham Avenue)
60.81.5615 (35 Buchanan Road)
60.81.5616 (37 Buchanan Road)

Subject: 389 Grantham Avenue (to be come 389 Grantham Avenue, 35 Buchanan Road, and 37 Buchanan Road)

Recommendation

Consent

That Application **B-12/20SC** and **B-13/20SC** by Gino Vendittelli, as outlined in the respective Notices of Hearing, be denied.

Minor Variance

That Applications **A-24/20**, **A-25/20**, and **A-26/20** by Gino Vendittelli, as outlined in the respective Notices of Hearing, be denied.

Report

Background

Consent Applications **B-12/20SC** and **B-13/20SC**, and concurrent Minor Variance Applications **A-24/20**, **A-25/20**, and **A-26/20** follow previous Consent Application **B-03/17SC** and then-concurrent Minor Variance Application **A-03/17** made in 2016. These previous applications were made to facilitate creation of a new 490 square metre lot for a proposed detached dwelling. While Application **B-03/17SC** was approved, conditions were not cleared in the prescribed timeframe and the severance subsequently lapsed. The concurrent minor variances for a reduced rear yard and increased lot area were also approved, in part.

The Proposal

A detached dwelling exists on the easterly portion of the subject lands, fronting onto Grantham Avenue. The Applicant proposes to sever the subject property into three separate parts for the purpose of constructing a semi-detached dwelling on the westerly portion of the lands.

To facilitate the proposal, Consent Application **B-12/20SC** is made for consent to sever 245 square metres of land (Part 3 on the submitted sketch), creating a new lot to be known as 35 Buchanan Road, which will accommodate one-half of the proposed semi-detached dwelling. Similarly, Consent Application **B-13/20SC** is made for consent to sever 245 square metres of land (Part 2 on the submitted sketch), creating a new lot to be known as 35 Buchanan Road, which will accommodate the second one-half of the proposed semi-detached dwelling. Ultimately, a 594 square metre remnant parcel (Part 1) would be retained for continued use of the existing detached dwelling.

Concurrent Minor Variance Applications **A-24/20**, **A-25/20**, and **A-26/20** seek relief from the City of St. Catharines Zoning By-law 2013-283 through the variances outlined below:

Application	Variance #	Zoning Provision	Required	Proposed
A-24/20 (389 Grantham Avenue)	1	Maximum Lot Area	538 square metres	594 square metres
	2	Minimum Front Yard to Dwelling	6.0 metres	5.18 metres
	3	Minimum Front Yard – garage position	garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling unit	garage may protrude 2.75 metres beyond the corresponding wall of the dwelling unit
	4	Minimum Rear Yard	7.5 metres	4.9 metres
	5	Minimum Exterior Side Yard	4.0 metres	1.5 metres
	6	Corner Lot Sight Triangle - minimum distance along each lot line from corner	6.0 metres	4.5 metres
A-25/20 (35 Buchanan Road)	1	Minimum Lot Area	370 square metres	245 square metres
	2	Minimum Lot Frontage	12 metres	9.5 metres
	3	Minimum Front Yard to Garage	7.0 metres	6.05 metres
	4	Minimum Rear Yard	7.5 metres	6.5 metres
	5	Minimum Setback from Interior Side Lot Line for a Platform Structure	1.2 metres	0 metres

A-26/20 (37 Buchanan Road)	1	Minimum Lot Area	370 square metres	245 square metres
	2	Minimum Lot Frontage	12 metres	9.5 metres
	3	Minimum Front Yard to Garage	7.0 metres	6.05 metres
	4	Minimum Rear Yard	7.5 metres	6.5 metres
	5	Minimum Setback from Interior Side Lot Line for a Platform Structure	1.2 metres	0 metres

Location and Site Description

The subject lands are located on the northwest corner of Grantham Avenue and Buchanan Road and is surrounded by detached dwellings with heights of one or one-and-a-half storeys.

A one-storey detached dwelling is positioned on the easterly portion of the lot, facing Grantham Avenue. There is an existing shed located in the northerly triangular portion of the parcel. A pool and tree (both proposed to be removed) are located on the westerly portion of the parcel, where the semi-detached dwelling is proposed. Hedgerows line the Buchanan frontage and westerly lot line.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E3 thereof. Detached dwellings 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 – Suburban Neighbourhood (R1). Detached dwellings and semi-detached dwellings are permitted.

Planning Analysis

Consent

Section 16.11.3 of the GCP provides that consents to sever will only be given where the size and shape of the parcel is appropriate for the use proposed and in terms of optimum development of the surrounding area.

Consent Applications **B-12/20SC** and **B-13/20SC** request to sever the subject property for the purposes of constructing a two-storey semi-detached dwelling on two newly-created lots to be known as 35 and 37 Buchanan Road. Each of the two units would be sold individually and held in separate ownership.

Staff are not satisfied that the size and shape of the proposed parcels (Parts 2 and 3) are appropriate for the use proposed and in terms of optimum development of the surrounding area. The scale of the proposed development is not in keeping with the character of the neighbourhood, where building heights generally do not exceed 1.5 storeys. It is staff's opinion that the lot sizes are too small, as is evidenced by the myriad of minor variances required to accommodate the proposed semi-detached dwelling. The Applicant seeks significant reductions in lot area for both parcels to be created; densities of 40.8 units per hectare per lot would result, exceeding the range of 20 to 32 units per hectare prescribed by the GCP. Further, staff have concerns about the proposed shape of the retained lot. The "hook-shaped" off-shoot at the northwest corner is not appropriate for the optimum development of the surrounding area. The odd geometry of the retained lot could prove to frustrate future attempts at intensification in the area.

Given the concerns outlined above regarding density and lot geometry, staff are of the opinion that the proposal does not maintain the intent of the Official Plan. Further, the proposed semi-detached dwelling units and respective parcels do not conform to the requirements laid out in the Zoning By-law. Minor Variances for lot area, lot frontage, front yard setback, and rear yard setback are required to facilitate the new lots, underscoring that the proposal would constitute overdevelopment of the site. Particularly, staff are of the opinion that the requested decrease in minimum lot size of approximately 34% is not minor in nature. The proposed lots would be a considerable departure from the uniform character of surrounding lots throughout the neighbourhood. Cumulatively, the requested variances exceed staff's opinion of what is minor in nature and do not uphold the intent of the Zoning By-law.

Minor Variance

Applications A-24/20, A-25/20, and A-26/20


Applications **A-24/20** and **A-25/20** request five (5) variances for each of the proposed new parcels (Parts 2 and 3) to facilitate the proposed semi-detached dwelling. Application **A-26/20** requests six (6) variances for the remnant parcel (Part 1) which is to be retained for continued use of the existing detached dwelling, as outlined in the proposal. Of these six (6) requested variances for the remnant parcel, two (2) variances are pertinent to the facilitation of the proposal while four (4) are to recognize deficiencies arising from the requested road allowance widenings.

As outlined above, staff are not supportive of the infill proposal as a whole. Given their recommendation to deny Consent Applications **B-12/20SC** and **B-13/20SC**, concurrent Minor Variance Applications **A-24/20**, **A-25/20**, and **A-26/20** are unnecessary and staff recommend they be denied, accordingly.

Conclusion

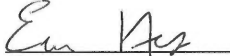
Staff are not satisfied that the consents requested through Applications **B-12/20SC** and **B-13/20SC** are desirable and compatible with the surrounding area and that there will not be any adverse impacts on surrounding properties as a result of approval of the applications. Additionally, staff are not satisfied that Applications **A-24/20**, **A-25/20**, and **A-26/20** are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, or appropriate and desirable for the use of the lands. It is staff's recommendation that the requested consent and variance applications be denied.

Prepared by:



Connor Wright
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

February 13, 2020

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

Attention: Elaine Munro

File# 60.84.2290, 60.81.2289, 60.81.5614, 60.81.5615 and 60.81.5616

Re: 389 Grantham Ave and 35 & 37 Buchanan Rd

In response to your correspondence dated February 4, 2020, 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 advantageous for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

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

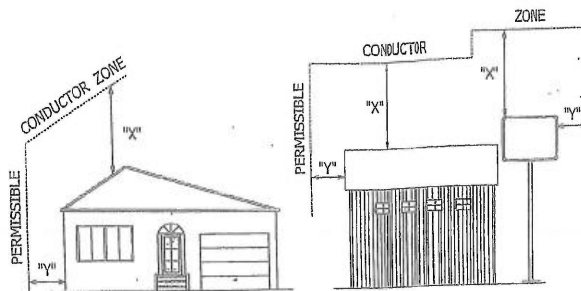
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal,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

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

Sincerely,



Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

horizon
UTILITIES Looking beyond..

DRAWING STATUS	BY	DATE DD/MM/YY
DRAWING	JM	12/05/07
CHECKED	MD	26/04/05
APPROVED	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWING #
3-105

DRAWINGS NOT TO SCALE

SHEET 1 OF 0

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 3

9 Blair Crescent
389 Grantham Avenue (B-12 & B-13/20SC and A-24/20)

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

Sent: Thursday, February 6, 2020 3:10 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 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 Ext 8434 | C 905-401-9967

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the
February 26/20 CofA Hearing - Email 4

389 Grantham (A-25 & 26/20)
12 Ashford Place (B-14 & B-25/20SC)

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

Sent: Thursday, February 6, 2020 3:14 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA
Hearing - Email 4

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

Hi Elaine

Email 4

Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 McLeod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

T 289-296-6266 Ext 8434 | C 905-401-9967

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2 of 3

From: Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>
Sent: Thursday, February 13, 2020 9:25 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Polus, Asia (MTO) <Asia.Polus@ontario.ca>; Lawrence, Morgan (MTO) <Morgan.Lawrence@ontario.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2 of 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.

Good morning Elaine,

MTO Highway Corridor Management Section has reviewed the location of the following Applications for Minor Variance:

A-17/20 – 23 Lincoln Avenue
A-24/20 – 389 Grantham Avenue
A-25/20 – 35 Buchanan Road
A-26/20 – 37 Buchanan Road

The properties listed above appear to be located outside of the MTO Permit Control Area, and therefore an MTO Building & Land Use Permit from this office is not required. At this time, this office has no further comments.

Please do not hesitate to contact me if you have any further questions.

Thank you,

Paul Nunes | Corridor Management Officer
Ministry of Transportation | Corridor Management Section | Niagara Region
159 Sir William Hearst Avenue, 7th floor Building D, Downsview, ON M3M 0B7
(416) 235-5559 | paul.nunes@ontario.ca



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Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 26, 2020 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-11/20SC – 43 Grandview Drive

Comment:

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

Condition:

- Be advised that a demolition permit is required for the existing detached garage on Part 2.

B-12/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 1.

Condition:

- No comment

B-13/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 2.

Condition:

- Be advised that a demolition permit is required for the existing pool on Part 2.

B-14/20SC – 12 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-15/20SC – 14 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-16/20SC – 1302 President Court

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 3.

Condition:

- No comment

A handwritten signature in black ink, appearing to be 'S. Sunderland', with a stylized flourish at the end.

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



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

- 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.
- 2. 114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.
- 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.
- 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.
- 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-12&13/20SC



February 11th, 2020

ENGINEERING FILE 300-36

Hearing Date: February 26th, 2020

Applicant: Gino Vendittelli

Location: 389 Grantham Avenue

MUNICIPAL SERVICES

	Grantham Avenue	Buchanan Road
Water:	150mm (6") A.C.	150mm (6") C.I.
Sanitary Sewer:	600mm (24")	250mm (10")
Storm Sewer:	825mm (32")	None. Road-side ditching
Sidewalks:	Yes	No
Road Allowance Width:	19.0m+/-	15.24m±

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

Comment(s): It is noted that the Applicant proposes to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use.

Roads

Buchanan Road is designated as a Local Road in the City's Official Plan with a desired right-of-way width of 20.0m. Its current width along the frontage of the subject lands is deficient at +/-15.24m. Therefore, the City shall require a 2.44m widening along Buchanan Road.

Grantham Avenue is designated as an Arterial Road in the City's Official Plan. It has a desired right-of-way width of 26.2m. Its current width is 19m+/- . Remaining consistent with widenings acquired to the north, the City shall require a 1.0m widening along Grantham Avenue.

Sidewalks exist along Grantham Avenue. Sidewalks do not exist on Buchanan Road. The City has no foreseeable plan to construct sidewalks on Buchanan Road. Therefore, a contribution towards a future sidewalk is not required at this time.

It is noted that there is an existing Cogeco Box located where one of the driveways is proposed. Prior to granting final approval of the severance the owner shall provide written proof from Cogeco that the Cogeco Box will be relocated to accommodate the proposed driveway.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot

developments, where existing lots within established plans of subdivision may not have a suitable drainage outlet in place. The Owner shall have a Lot Grading Plan prepared and submitted to the City for approval. The Lot Grading Plan shall be prepared by a qualified Professional Engineer or Ontario Land Surveyor and is to demonstrate how the grading and drainage scheme of the future lots will convey runoff and sump pump flows to suitable outlets without adversely affect abutting properties, nor the City boulevard.

When no opportunities exist to connect to a piped storm sewer in the road allowance sump pump flows are typically discharged to grade. However, since a storm sewer does exist on Buchanan Road, sump pump flows shall be discharged to storm laterals. At the time of the application for a Building Permit the Owner shall pay to have City crews install the laterals from the existing sewer to the front property line.

The proposed lot appears to have a 100mm (4") sanitary lateral previously provided to the property line from Buchanan Road. It also appears the existing water service is connected to the City owned watermain on Grantham Avenue. The Owner shall pay for City crews to inspect the existing services to confirm and document the location, condition and depth, to ensure they can be reused for the future dwelling units. The Owner is advised that he may have to arrange for and pay for the sanitary lateral to be exposed at the property line if access cannot be obtained through the existing house. If it is deemed that a conflict does exist, then prior to finalizing the severance the owner shall undertake any relocation works required on private property and pay the City to relocate or install a new service to accommodate the relocation.

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

- Provide the City a draft reference plan indicating the proposed 1.0m widening on Grantham Avenue and the 2.44m widening on Buchanan Road 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 1.0m widening across the Grantham Avenue frontage and the 2.44m widening across the Buchanan Road frontage of the subject property. The widenings are to be known as Grantham Avenue and Buchanan Road respectively; and
- Submit a Grading Plan for review and approval by City staff. The Grading Plan must be prepared by a qualified Professional Engineer or Ontario Land Surveyor.
- The Owner shall provide written proof from Cogeco that the Cogeco Box is to be relocated.
- Pay the fee for City crews to locate, trace, inspect and document the condition of the existing sewer lateral and water service on private property and the adjacent right-of-ways; and
- Complete, if deemed necessary, any relocation of the existing sanitary lateral and/or water service on private property if the existing services cross existing or future side lot lines; and

- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property that may be required to eliminate services crossing existing or future side lot lines;

A handwritten signature in cursive script, appearing to read "Jim Denham", written in dark ink.

Prepared By: _____
Jim Denham, P.Eng.
Development Engineering Technologist



Memorandum

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

Cc: Judy Pihach, Manager of Planning
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

**B-14/20SC (60.84.2291), B-15/20SC
(60.84.2292), A-27/20 (60.81.5617), A-
28/20 (60.81.5618) & A-29/20 (60.81.5619)**

12 Ashford Place

**DATE OF HEARING:
February 26, 2020**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: B-14/20SC
B-15/20SC
A-27/20
A-28/20
A-29/20

File: 60.84.2291
60.84.2292
60.81.5617 (12 Ashford Place)
60.81.5618 (14 Ashford Place)
60.81.5619 (16 Ashford Place)

Subject: 12 Ashford Place (to be come 12 Ashford Place, 14 Ashford Place, and 16 Ashford Place)

Recommendation

Consent

Application B-14/SC

That Application **B-14/20SC** by 2559769 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner submit for review and approval by City staff an as-constructed individual lot grading and drainage plan, prepared by a professional engineer or Ontario Land Surveyor.
2. That the Owner dedicate to the City, free and clear of any mortgages, liens, or encumbrances, a road allowance widening of 0.9 metres along the Ashford Place frontage of Parts 1 and 2. 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.
3. That the Owner submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
4. The frontage for Part 2 be 6 metres on the deposited reference plan.
5. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 payable to the Treasurer, City of St. Catharines.
6. That final approval of the concurrent Minor Variance Application be received by the Committee of Adjustment.
7. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcels, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. That all conditions of consent be fulfilled by February 26, 2021.

Application B-15/SC

That Application **B-15/20SC** by 2559769 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner submit for review and approval by City staff an as-constructed individual lot grading and drainage plan, prepared by a professional engineer or Ontario Land Surveyor.
2. That the Owner dedicate to the City, free and clear of any mortgages, liens, or encumbrances, a road allowance widening of 0.9 metres along the Ashford Place frontage of Part 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.
3. That the Owner submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
4. The frontage for Part 2 be 6 metres on the deposited reference plan.
5. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 payable to the Treasurer, City of St. Catharines.
6. That final approval of the concurrent Minor Variance Application be received by the Committee of Adjustment.
7. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcels, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. That all conditions of consent be fulfilled by February 26, 2021.

Minor Variance

That Applications **A-27/20** and **A-29/20** by 2559769 Ontario Inc., as outlined in the respective Notices of Hearing, be approved.

That Variances 1 and 2 of Application **A-28/20** by 2559769 Ontario Inc., as outlined in the Notice of Hearing, be approved.

That Variances 3 and 4 of Application **A-28/20** by 2559769 Ontario Inc., as outlined in the Notice of Hearing, be denied as they are unnecessary.

Report Background

A building permit for a three-unit townhouse dwelling on the subject lands was applied for and issued prior to the City's practice of requiring severance of the lands prior to construction. The proposal complied with the Zoning By-law at that time; the building is now substantially constructed.

The Proposal

The Applicant proposes to sever the property into three separate lots along the common walls of the units so that each of the three dwellings can be held in separate ownership. Accordingly, Consent Application **B-14/20SC** is made for consent to sever 230.4 square metres of land (Part 1 on the submitted sketch), creating a new lot to be known as 12 Ashford Place, for use of the southernmost dwelling unit. Similarly, Application **B-15/20SC** is made for consent to sever 243.1 square metres of land (Part 3 on the submitted sketch), creating a new lot to be known as 16 Ashford Place, for use of the northernmost dwelling unit. Ultimately, a 201 square metre remnant parcel (Part 2 on the submitted sketch), to

be known as 14 Ashford Place, would be retained for use of the third and final dwelling unit.

Concurrent Applications **A-27/20**, **A-28/20**, and **A-29/20** seek relief from the City of St. Catharines through the variances outlined below:

Application	Variance #	Zoning Provision	Required	Proposed
A-27/20 12 Ashford Place (Part 1)	1	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade from 0.15 metres to 0.6 metres (rear covered deck)	1.2 metres	0 metres
	2	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade of 1.2 metres or greater (rear balcony)	1.2 metres	0 metres
A-28/20 14 Ashford Place (Part 2)	1	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade from 0.15 metres to 0.6 metres (rear covered deck)	1.2 metres	0 metres
	2	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade of 1.2 metres or greater (rear balcony)	1.2 metres	0 metres
	3	Maximum Driveway Width	50% of the front lot line distance, being 3 metres	3.55 metres
	4	Maximum Parking Area Coverage	50% of the Front Yard	59% of the Front Yard
A-29/20 16 Ashford Place (Part 3)	1	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade from 0.15 metres to 0.6 metres (rear covered deck)	1.2 metres	0 metres
	2	Minimum Setback from an Interior Side Lot Line for a Platform Structure with a height above the grade of	1.2 metres	0 metres

		1.2 metres or greater (rear balcony)		
--	--	--------------------------------------	--	--

Location and Site Description

The subject property is located on the east side of Ashford Place, south of Lincoln Avenue. The property is surrounded by detached dwellings to the north and west, with a mix of commercial and residential uses to the south, and commercial uses to the east.

A three-unit townhouse dwelling is currently under construction.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Mixed Use on Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Use on Schedule E9 thereof. The residential townhouse under construction is permitted on these lands.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Mixed Use (M1). The residential townhouse under construction is permitted on these lands.

Planning Analysis

Consent

Section 16.11.3 of the GCP provides that consents to sever will only be given where the size and shape of the parcel is appropriate for the use proposed in terms of optimum development of the surrounding area.

The proposal will allow each of the townhouse dwelling units to be sold individually and held in separate ownership. Staff considers the requested consents administrative in nature; they are proposed to facilitate separate ownership of the townhouse units, rather than new development. No new impacts on surrounding properties will result from the severances. Staff have no objection to the proposal and are recommending approval of Applications **B-14/20SC** and **B-15/20SC**, accordingly, subject to the conditions outlined in the recommendation.

Staff do note that the lot frontage of Part 2 does not meet the minimum lot frontage of 6 metres – only 5.994 metres is provided. Staff recommend a condition of both consents be that the frontage on the deposited reference plan for Part 2 be shown as 6 metres through adjusting the interior side lot lines to accommodate the extra 6 millimetres.

Minor Variance

Variance 1 and 2 of Applications A-27/20, A-28/20, and A-29/20

Zoning By-law 2013-283 establishes a minimum setback from an interior lot line of 1.2 metres for platform structures, such as porches, decks, and balconies. 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, thereby mitigating safety, privacy, and overlook concerns.

The Applicant is requesting a reduction of the required setbacks from 1.2 metres to zero metres for each of the rear decks and balconies associated with the townhouse dwelling units. The variances would allow the platform structures to be located at a zero setback from the proposed new lot lines separating each of the units. Staff considers the variances to be minor and administrative in nature; there is no impact on adjacent properties. The decks and balconies will provide desirable amenity space for dwelling occupants. Staff recommend that Variances 1 and 2 of each of Applications **A-27/20**, **A-28/20**, and **A-29/20** be approved.

Variances 3 and 4 of Application A-28/20

Zoning By-law 2013-283 regulates the size of parking and driveway areas by establishing a maximum driveway width of 50% of the width of the lot or 7.5 metres, whichever is less, and a maximum parking area coverage of 50% of the front yard. An exception to these provisions is outlined under section 2.15.4 of the Zoning By-law, which states that where a lot is created to permit the conveyance of a townhouse dwelling unit, the lot shall be deemed to comply with the maximum residential parking coverage and driveway width requirements of the Zoning By-law, so long as the original lot subject to the conveyance complied with these provisions prior to creation of the new lot.

At the time of issuance of a building permit for the townhouse dwelling currently under construction, the proposal complied with the parking and driveway area requirements of the Zoning By-law. Accordingly, pursuant to Section 2.15.4 of the Zoning By-law, the driveway associated with 14 Ashford Place is deemed to comply and Variances 3 and 4 of Application **A-28/20** are unnecessary. Staff recommend that the variances be denied, accordingly.


Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-14/20SC** and **B-15/20SC** are 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-27/20**, **A-29/20**, and Variances 1 and 2 requested through Application **A-28/20** are all 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 and function of the lands as one site. Staff recommend that the Applications be


approved. Staff recommend that Variances 3 and 4 of Application **A-28/20** be denied, as they are unnecessary.

Prepared by:




Connor Wright
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Planner II

February 13, 2020

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

Attention: Elaine Munro

File# 60.81.5617, 60.84.2291, 60.84.2292, 60.81.5618 & 60.81.5619

Re: 12, 14 and 16 Ashford Place

In response to your correspondence dated February 4, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

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

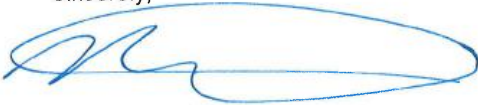
We would also like to stipulate the following:

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

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

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

Sincerely,



Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 4

389 Grantham (A-25 & 26/20)
12 Ashford Place (B-14 & B-25/20SC)

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

Sent: Thursday, February 6, 2020 3:14 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 4

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

Hi Elaine

Email 4

Cogeco has no issues or concerns with these applications

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

T 289-296-6266 Ext 8434 | C 905-401-9967

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 5 - Last Email

12, 14 & 16 Ashford Place – A-27 to A-29/20)
1302 President Court

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

Sent: Thursday, February 6, 2020 3:17 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 5 - Last Email

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

Hi Elaine

Email 5

Cogeco has no issues or
concerns with these applications

Have an awesome weekend too

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

T 289-296-6266 Ext 8434 | C 905-401-9967

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

12 Ashford (All Applications)
23 Lincoln Avenue

From: Vasko, Dennis
Sent: Friday, February 7, 2020 8:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 2

Hi Elaine, no issues with subject property on Ashford. It's far enough away from the golf course which was an old landfill.

The property at 23 Lincoln is much closer to landfill but if it's just parking spaces that are being affected, all good.

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: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 26, 2020 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-11/20SC – 43 Grandview Drive

Comment:

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

Condition:

- Be advised that a demolition permit is required for the existing detached garage on Part 2.

B-12/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 1.

Condition:

- No comment

B-13/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 2.

Condition:

- Be advised that a demolition permit is required for the existing pool on Part 2.

B-14/20SC – 12 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-15/20SC – 14 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-16/20SC – 1302 President Court

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 3.

Condition:

- No comment

A handwritten signature in black ink, appearing to be 'S. Sunderland', with a stylized flourish at the end.

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



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	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: February 13, 2020
Subject: Committee of Adjustment Hearing – February 26, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of February 26, 2020 and provides the following comments;

- 1. 237B Scott Street, Minor Variance, A-30/20 – 60.81.5620**
No comment.

- 2. 114 Lake Street, Consent, B-42/19SC – 60.84.2289**
114 Lake Street, Minor Variance, A-136/19 – 60.81.5570
No comment.

- 3. 1688 Gregory Road, Minor Variance, A-16/20 – 60.81.5606**
No objection.

- 4. 23 Lincoln Avenue, Minor Variance, A-17/20 – 60.81.5607**
No objection.

- 5. 43 Grandview Drive, Consent, B11/20SC – 60.84.2288**
43A Grandview Drive, Minor Variance, A-21/20 – 60.81.5611
43B Grandview Drive, Minor Variance, A-22/20 – 60.81.5612

CRCS request that the following be included as a condition of severance or included within a Development Agreement for the subject lands:

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. 9 Blair Crescent, Minor Variance, A-23/20 – 60.81.5613

No comment.

7. 389 Grantham Avenue, Consent, B-12/20SC – 60.84.2289

389 Grantham Avenue, Consent, B-13/20SC – 60.84.2290

389 Grantham Avenue, Minor Variance, A-24/20 – 60.81.5614

35 Buchanan Road, Minor Variance, A-25/20 – 60.81.5615

37 Buchanan Road, Minor Variance, A-26/20 – 60.81.5616

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

That the driveway, servicing and utilities be located outside of the dripline of the boulevard tree located in front of Part 2.

8. 12 Ashford Place, Consent, B-14/20SC – 60.84.2291

14 Ashford Place, Consent, B-15/20SC – 60.84.2292

12 Ashford Place, Minor Variance, A-27/20 – 60.81.5617

14 Ashford Place, Minor Variance, A-28/20 – 60.81.5618

16 Ashford Place, Minor Variance, A-29/20 – 60.81.5619

CRCS request that the following be included as a condition of each severance or included within a Development Agreement for the subject lands:

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.

9.1302 President Court, Consent, B-16/20SC – 60.84.2293

No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-14&15/20SC



February 11th, 2020

ENGINEERING FILE 300-36

Hearing Date: February 26th, 2020

Applicant: 2559769 Ontario Inc. (Kurabi Hussan)

Location: 12, 14 & 16 Ashford Place

MUNICIPAL SERVICES

Water:	150mm A.C.
Sanitary:	200mm Clay
Storm:	None
Sidewalks:	No
Road Allowance:	18.2m±

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

Comment(s): It is noted that the Owner proposes to sever Part 2 and Part 3. This would enable the existing dwellings on parts 1, 2, and 3 to be sold separately.

Roads

Ashford Place is designated as a Local Road in the City's Official Plan with a desired right-of-way width of 20.0m. The current width is +/-18.2m. In situations such as this where the roadway is a short local roadway, the City will accept an 18m R.O.W. Therefore, the City requires a 0.9m widening at this time. The owner was advised of this during the building permit stage and in fact the "future widening" was shown on the approved grading plan.

Sidewalks do not exist along the frontages of the subject property and are not included on the City's list of priority sidewalks. Therefore, no contribution for future sidewalks is required at this time.

Municipal Services

Municipal services (water and sanitary) exist on President Court across the frontage of this property. These services for the dwelling units were installed and paid for at the building permit stage.

A proposed grading plan was submitted and approved at the building permit stage. A final inspection has not been requested nor carried out by City Staff, and an "As Constructed Grading Plan" has not been provided by the OLS. Prior to granting final acceptance of this severance, City staff must sign off on the grading. Therefore, when weather conditions permit,

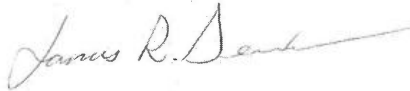
City staff will carry out a final lot grading and drainage inspection. As an alternative the owner's OLS could provide certification that all works shown on the grading plan have been constructed in accordance with the approved version.

Condition(s):

Prior to the severance finalization the Owner shall;

- Provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office; 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 Ashford Court; and
- City staff must be satisfied that the grading and drainage has been completed in accordance with the previously approved Grading Plan

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
Amanda Knutson, Planner II
Wilrik Banda, Planning Technician
Tage Crooks, Planner I

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

Date: February 12th, 2020

Hearing Date: February 26th, 2020

Subject: **Committee of Adjustment - Minor Variance Applications** 237B Scott
114 Lake Street, A-136/19
1688 Gregory Road, A-16/20
23 Lincoln Avenue, A-17/20
43A&B Grandview Drive, A21&22/20
9 Blair Crescent, A-23/20
389 Grantham Avenue, A-24/20
35 & 37 Buchanan Road, A25&26/20
12, 14 & 16 Ashford Place A-27,28&29/20
237B Scott Street, A-30/20

Development Engineering have reviewed the above noted Minor Variance applications and have no objections subject to the following:

237 Scott Street A-30/20

Comments:

It is noted that the Applicant also has a Consent Application (B-02/20SC) on file that proposes to sever Part 1 on the Sketch for the proposed construction of one-half of a semi-detached dwelling to be known as 237A Scott Street. A remnant parcel (Parts 2, 3 & 4) known as 237B Scott Street with the existing detached dwelling will be retained for residential use subject to easements, in perpetuity over Parts 3 & 4 for maintenance and access purposes to eaves, gutters and roof, to benefit Part 1. Since the Minor Variance can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City

staff, prior to approval of this Minor Variance. City staff will review the proposed grading plan to ensure that the drainage scheme of the modified existing, and proposed future, lots convey drainage to a suitable outlet, while at the same time do not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

This Minor Variance should only be approved if the Consent (B-02/20SC) is also approved. If the Consent is not approved, this Minor Variance should only be approved if the following conditions, as noted in the Consent, are met;

- The Owner shall arrange to have an individual lot grading and drainage plan prepared by a qualified Engineer or Ontario Land Surveyor and submit for review and approval by City staff, prior to the approval of the Minor Variance.

43 Grandview Drive A-21&20/20

Comments:

It is noted that the Applicant also has a Consent application (B-11/20SC) on file that proposes to sever Part 2 to be known as 43A Grandview Drive, for the proposed construction a new detached dwelling. The remnant parcel, Part 1, would be retained for continued residential use and would be known as 43B Grandview Drive. Since these Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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 approval of these Minor Variances. 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 exist at this location on Grandview Drive, the sump pump must outlet through the front foundation wall only and be connected to a storm lateral, the installation of which will be required at the building permit stage. The location of the lateral and 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. These must be identified on the submitted grading plan as well.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consent (B-11/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 granting final approval of the Minor Variances.

389 Grantham Avenue A-24, 25 & 26/20SC

Comments:

It is noted that the Applicant also has two consent applications (B12&13-20SC) on file that propose to sever Parts 2 & 3 creating two new lots to be known as 37 & 35 Buchanan Road respectively for the purpose of constructing a semi-detached dwelling. A remnant parcel of land would be retained (Part 1) for continued residential dwelling use. Since the subject Minor Variances can impact the property, the following comments provided for this minor variance are the similar to those provided for the Consent.

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, and submitted for review and comment by City staff, prior to approval of these Minor Variances. City staff will review the proposed grading plan to ensure that the drainage scheme conveys drainage to a suitable outlet, while at the same time does not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a piped municipal storm sewer. Since a storm sewer does exist on Scott Street, weeping tile flows shall be pumped via sump pump and discharged to a storm sewer lateral directly

to the municipal storm sewer. The cost of the storm sewer lateral shall be the Owner's responsibility through the servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot and subsequently out to Scott Street. These too must be shown on the approved grading plan.

Conditions of Minor Variance:

These Minor Variances should only be approved if the Consents (B-12&13/20SC) are also approved. If the Consents are not approved, this Minor Variance should only be approved if the following condition is met;

- The Owner shall 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 final approval of the Minor Variance.

If you have any questions or concerns regarding the above please let me know.

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

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/

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

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

COMMENTS

B-16/20SC (60.84.2293)

1302 President Court

DATE OF HEARING:
February 26, 2020



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: February 21, 2020

Date of Meeting: February 26, 2020

Report Number: B-16/20SC

File: 60.84.2293

Subject: 1302 President Court

Recommendation

Consent

That Application **B-16/20SC** by 1473941 Ontario Limited be approved subject to the following conditions:

1. That the Owner dedicate to the City, free and clear of any mortgages, liens, or encumbrances, a road allowance widening of 1.9 metres along the President Court frontage of Parts 1, 2, 3, and 4. 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.
2. That the final reference plan reflect a lot area of 4,050 square metres for Part 2, after the necessary road allowance widening referenced above has been dedicated to the City.
3. That 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 Owner 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, 3 and 4) will be merged and become one parcel of land.
4. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 payable to the Treasurer, City of St. Catharines.
5. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcels, together with a copy of the deposited reference plan, for use in the issuance of the Certificates of Consent.
6. That all conditions of consent be fulfilled by February 26, 2021.

Report

The Proposal

The Applicant proposes a boundary adjustment between the two properties known municipally as 1296 President Court and 1302 President Court. Accordingly, Application **B-16/20SC** was made for consent to sever 5.0899 hectares of land (Parts 1 & 3 on the submitted sketch) which would be added to the abutting easterly parcel of land known as

1296 President Court (Part 4). A 0.4998-hectare remnant parcel with an existing detached dwelling (Part 2) would be retained for continued residential use.

Since the date of the original Application, and at the request of staff, the Applicant has revised its proposal to reduce the size of the remnant parcel (Part 2) to 0.0405 hectares (1 acre), thereby increasing the size of the severed parcels (Parts 1 and 3) to 5.18557 hectares. The rationale behind the revision is outlined in the planning analysis herein. A revised sketch is attached as Appendix "1".

Location and Site Description

The properties known municipally as 1302 President Court and 1296 President Court are located at the easterly terminus of President Court, adjacent to Highway 406. The lands are primarily surrounded by agricultural operations and few detached dwellings.

One detached dwelling is located on each of the two properties, near the public street. The area to the rear of the homes is a vacant open field.

Circulation of Application

This Application was circulated to all appropriate departments and agencies: no objections were received. The Region of Niagara indicated their preference to reduce the size of the remnant parcel to 0.0405 hectares (1 acre), which more closely aligns with Regional Official Plan policies for detached dwellings in the Agricultural area.

Planning Policy Context

Official Plan (Garden City Plan)

The subject properties known municipally as 1302 President Court and 1296 President Court are both designated Agriculture on Schedules D1 and E11 of the Garden City Plan (GCP). The existing detached dwellings are a permitted.

Zoning By-law (2013-283)

The properties known municipally as 1302 President Court and 1296 President Court are both zoned Agriculture (A1). The existing detached dwellings are permitted.

Planning Analysis

The intent of the Agriculture designation is to protect, promote, and prevent fragmentation of the City's agricultural lands and area for long term sustainable agricultural production and practices. Section 14.2.12.3 of the GCP permits minor boundary adjustments in agricultural areas, provided no new lot is created for a residential dwelling and there is no increased fragmentation of a natural area or feature or key hydrologic feature.

The Applicant proposes a boundary adjustment between two neighbouring properties known municipally as 1296 President Court and 1302 President Court. No new lot is proposed, nor is any new development. Upon review of the original sketch submitted with the Application, staff requested that the size of the remnant parcel (Part 2) be reduced so that the amount of vacant land under one ownership can be optimized for potential future

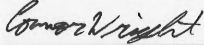
agricultural use. A lot area of 0.04050 hectares is now proposed, which is the minimum size required to support private water and sewage systems and the minimum lot area prescribed by the Zoning By-law.

Staff are satisfied that the revised proposal, as illustrated in Appendix "1" attached, will ensure the protection of agricultural lands, while also ensuring sufficient lot area for private septic and water services associated with the remnant parcel. The boundary adjustment will not result in fragmentation of a natural area or feature or key hydrologic feature. Staff note that the final survey sketch will need to be adjusted slightly to accommodate the necessary road widening, while also ensuring an ultimate lot area of 0.04050 hectares is maintained for the remnant parcel. Staff are recommending approval of Application **B-16/20SC**, subject to the conditions outlined herein.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-16/20SC**, if approved, maintains the purpose and intent of the Official Plan and 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.

Prepared and Submitted by:



Connor Wright
Student Planner

Approved by:



Amanda Knutson
Planner II

COMMITTEE OF ADJUSTMENT APPLICATION

IN THE

CITY OF ST. CATHARINES

REGIONAL MUNICIPALITY OF NIAGARA

SCALE: 1 : 8000

0 10 20 30 40 50 60 70 80 90 100 METRES

8080

NOTE:

PROPERTY OUTLINED KNOWN AS MUNICIPAL ADDRESS 1895 AND 1908 PRESIDENT COURT AND DESIGNATED AS PART OF LOT 2, CONCESSION 2, TOWNSHIP OF LOUTH

NOTE:

DIMENSIONS SHOWN ARE APPROXIMATE AND BASED UPON FIELD MEASUREMENTS AND AVAILABLE LAND REGISTRY OFFICE DOCUMENTATION.

(AREA=4050.0 SQ. M. ±)

PART 2

PART 3

(AREA=795.7 SQ. M. ±)

PRESIDENT COURT

COURT

PART 4

(AREA=4041.7 SQ. M. ±)

(20.12± WIDE)

AGRICULTURE

OF

TOWNSHIP

LOT

CONCESSION

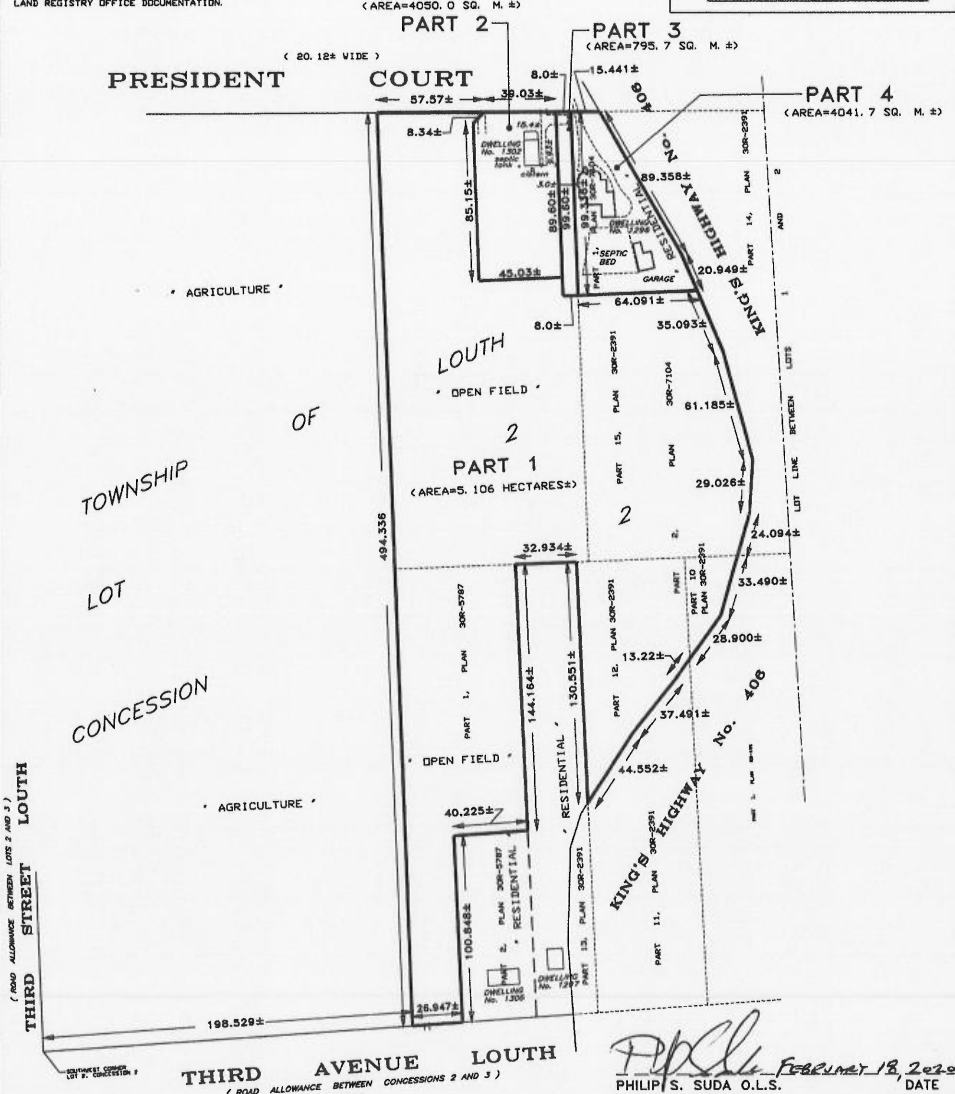
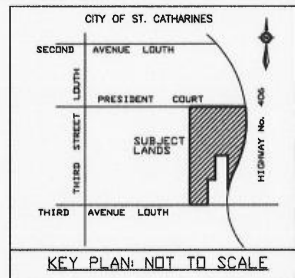
(ROAD ALLOWANCE BETWEEN LOTS 2 AND 3)
THIRD STREET LOUTH

CONCESSION 2

THIRD AVENUE LOUTH
(ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3)
(20.12± WIDE)

THIS SKETCH IS NOT VALID UNLESS EMBOSSED BY A SURVEYOR'S SEAL.

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE EXCEPT AS STATED IN THE TITLE BLOCK



PHILIP S. SUDA O.L.S. DATE FEBRUARY 18, 2020

SUDA & MALESZYK SURVEYING INC.
ONTARIO LAND SURVEYORS
26 EAST MAIN STREET, SUITE 2
WELLAND, ONTARIO L3B 3W3
TEL: (905) 732-7651 FAX: (905) 732-7660
FILE: 20-06 JOB No: 6000

Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

February 14, 2020

File No.: D.06.08.CS-20-0014

Ms. Elaine Munro
Secretary-Treasurer, Committee of Adjustment
City of St. Catharines
50 Church Street
St. Catharines, ON L2R 7C2

Dear Ms. Munro:

**Re: Provincial and Regional Comments
Consent Application
Submission No. B-16/20SC
Owner: 1473941 Ontario Ltd. c/o Anthony Continelli
1302 President Court
City of St. Catharines**

Regional Planning and Development Services staff has reviewed the above noted consent application submitted for the subject lands municipally known as 1302 President Court in the City of St. Catharines. The application was received February 6, 2020. Staff note a pre-consultation meeting was not held for this application.

The consent application proposes to sever 5.0899 hectares (12.57 acres) of land (Parts 1 and 3) which will be added to the abutting easterly parcel of land known as 1296 President Court (Part 4). The remaining lands (Part 2) with an area of approximately 0.4998 hectares (1.23 acres) will be retained for continued residential use. No new development is proposed.

The following Provincial and Regional comments are provided to assist the Committee of Adjustment in considering this application.

Provincial and Regional Policies

The subject lands are located outside the urban area boundary for the City of St. Catharines. According to the 2014 Provincial Policy Statement (PPS), the subject property is identified to be within a Prime Agricultural Area, more specifically a Specialty Crop Area. Similarly, the 2017 Greenbelt Plan designates the subject lands specialty

crop as part of the Protected Countryside. Further, the Regional Official Plan (ROP) designates the lands Unique Agricultural Area. Such areas are to be protected for the long-term use for agriculture, with Specialty Crop Areas being given the highest priority for protection. In conformity with Provincial policy, the ROP states that the predominant use in the Unique Agricultural Areas shall be for agriculture of all types. However, all existing uses lawfully used for such purpose prior to December 16, 2004, the date the Greenbelt Plan came into effect, are permitted. Also, single detached dwellings are permitted on existing lots of record, provided they were zoned for such as of December 16, 2004 or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to December 14, 2003 but which did not proceed.

Provincial and Regional policies emphasize proper management and protection of agricultural lands therefore, consents to convey are restricted and only permitted in accordance with certain provisions including:

- a consent for an agricultural use where the severed and retained lots are intended for agricultural uses and provided the minimum lot area is 40 acres (16.2 hectares);
- a consent for a residence surplus to a farming operation as a result of a farm consolidation;
- a consent for minor boundary adjustments or easements, which does not result in the creation of a separate lot for a residential dwelling and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

Further, ROP policy states that residential lots considered for consent per the above noted instances, shall not exceed an area of 0.4 hectare (1 acre) except where additional area is deemed necessary to support a well and private sewage disposal system.

Regional staff notes that there is currently a residential dwelling on both properties, the lands to be retained (Part 2) and the adjacent property (Part 4). The proposed consent will therefore not result in the creation of a new residential lot. In addition, it will also not result in fragmentation of a key natural heritage or hydrologic feature. Regional staff suggests that the proposed lot area for the retained lands be reduced to an area of 0.4 hectare (1 acre) to better align with ROP policy. However, the proposed applications meets the general intent of Provincial and Regional policy given the agricultural lands will not be fragmented and the potential for an agricultural operation to occur on the subject lands will be maintained.

Private Servicing

ROP policy states that new development located outside the urban area boundaries shall be expected to depend on private sewage disposal systems and water supply. As such, Regional Private Septic System (PSS) staff has reviewed the submitted application and supporting information, and provide the following comments.

A septic permit was approved for a Class 4 septic system in 2011 to service the dwelling at 1296 President Court (Part 4). However, no record was found for the sewage system servicing the dwelling at 1302 President Court.

No observed defects were found with either sewage system at the time of site inspection. Although the location of the septic system servicing the dwelling at 1302 President Court could not be confirmed, it appears that the proposed consent will not adversely affect the existing sewage system on the property and there is sufficient usable land to the south of the dwelling for any future replacement of the sewage system. Therefore, Regional PSS staff has no objection to the application as submitted. Please note if changes are proposed for either dwelling, a new sewage system may be required to be installed to meet current Building Code requirements.

Conclusion

Accordingly, Regional staff is supportive of the subject application for a boundary adjustment as it meets the general intent of Provincial and Regional policy with regards to proper management and protection of agricultural lands per the above discussion. It does not appear that boundary adjustment will restrict the ability for an agricultural use to occur on the subject lands.

Should you have any questions or wish to discuss these comments, please do not hesitate to contact me at extension 3442 or Lindsay Earl, MCIP, RPP, Senior Development Planner at extension 3387.

Please send notice of the Committee's decision with regards to this application.

Respectfully Submitted,



Elissa Quintanilla
Development Planner

cc: Lindsay Earl, Senior Development Planner, Niagara Region
Michael Lim, Private Sewage Systems Inspector, Niagara Region

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 32 of 3

From: Polus, Asia (MTO) <Asia.Polus@ontario.ca>
Sent: Wednesday, February 12, 2020 1:23 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Nunes, Paul (MTO) <Paul.Nunes@ontario.ca>; Singh, Christian (MTO) <Christian.Singh@ontario.ca>
Subject: FW: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA Hearing - Email 32 of 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.

**RE: Notice of Hearing
Consent Application – B-16/20SC File No. 60.842293
1302 President Court
West/North of Hwy 406 and Third Avenue Louth
St. Catharines, Ontario**

Hi Elaine,

Further to the above noted circulation, regarding the consent application to sever 5.0899 ha of land which will be added to the abutting easterly parcel of land known as 1296 President Court and the additional adjustment between the tow parcels of land please note that the ministry has no concerns or comments to the The application create a new lot for a future development, please note that the ministry has no concerns to this proposal. The property owner of the larger created parcel under this application should be aware that as the land is adjacent to the ministry ROW therefore fills within the ministry permit control area.

As such, ministry's permits (both building and land use and sign permits) will be required prior to the commencement of any grading and/or construction on the site. **It is the responsibility of the proponent to secure ministry permits prior to the issuance of any municipal permits and/or approval.**

General comments:

- ☐ The subject site is within MTO's Permit Control Area for Highway 406 and as such MTO Site Plan Approval and an MTO Building and Land Use Permit will be required prior to any construction activities on the site.
- ☐ A 14m minimum setback is required. The current Highway ROW, as well as the 14m MTO setback should be clearly labeled on all drawings that will be provided for ministry's review and comments.
- ☐ Please be aware that no feature, amenity or operational arrangement (such as, but not limited to, fire-routes, emergency access/exits, parking, loading docks, access to loading docks, storm-water management ponds) that is required by by-law **or is essential to the viability of this site**, should be located within the setbacks. Furthermore only the surplus parking (excess of the Municipal's minimum parking requirement under the Zoning Bylaw) can be located within

the 14m MTO setback, but must be setback a minimum of 3m from the government property line. All required and surplus parking must be clearly indicated on the SP.

- . As part of the review and approval process the applicant will be required to submit copies of a detailed Site Plan, SWMR, Site Servicing and Grading Plan.
- . Please note that ministry requires all drainage submissions to be also provided electronically.
- . All plans and reports must be stamped and signed and circulated to the MTO through municipal site plan application process for a formal review and comments.
- . The proponent will be required to submit two (2) copies of the Photometric Lighting Plan (in LUX units) for MTO review and approval. The plan must illustrate proposed lighting and any light spillage on the Highway 406 ROW.
- . The Applicant should be advised that they cannot apply for the MTO Permit until the Site Plan has been approved by MTO and the Municipality.
- . MTO Sign Permits will be required for any new signage visible from Highway 406.
- . Depending on the complexity of any future development proposal, the **Traffic Impact Study (TIS)** from the traffic consultant may be required. The Report and/or Traffic Brief should describe the general criteria of the existing and anticipated traffic created by this development proposal. It is the proponent's responsibility to retain a qualified transportation consultant experienced in the preparation of TIS. Effective January 1, 2010, all TISs shall be undertaken by a firm approved under the Ministry of Transportation's consultant Registry, appraisal and Qualification System (RAQS) under the Traffic Impact Analysis specialty category.
- . All plans and Reports must be stamped and signed by a Professional Engineer of Ontario and circulated to the MTO through municipal site plan application process. For approval.

More detailed comments regarding the development proposal will be provided when a formal site Plan is submitted.

Applicant must apply online through the link below once clearance letter is issued:

<https://www.hcms.mto.gov.on.ca/>

For any further information regarding the permit process and SP application please contact Paul Nunes, included in this e-mail, he is current Corridor Management Officer for this area and he can be reached at 416-235-5559.

I trust that the above is clear and satisfactory. If you have any further questions or concerns please feel free to contact us.

Best regards,

W. Asia Polus
Corridor Management Planner

Ministry of Transportation
Central Region, Highway Corridor Management Section
159 Sir William Hearst Ave. 7th Floor
Toronto, ON M3M 0B7
Tel. 416 - 235-3991
Fax 416 - 235-4267

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the
February 26/20 CofA Hearing - Email 5 - Last Email

12, 14 & 16 Ashford Place – A-27 to A-29/20)
1302 President Court

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

Sent: Thursday, February 6, 2020 3:17 PM

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

Subject: Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the February 26/20 CofA
Hearing - Email 5 - Last Email

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

Hi Elaine

Email 5

Cogeco has no issues or
concerns with these applications

Have an awesome weekend too

Thanks

Doug Crown
Network Planning Department

7170 Mcleod Rd
Niagara Falls Ont Canada

Doug.crown@cogeco.com

T 289-296-6266 Ext 8434 | C 905-401-9967



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – February 26, 2020 hearing

B-42/19SC – 114 Lake Street

Comment:

- No Comment

Condition:

- No comment

B-11/20SC – 43 Grandview Drive

Comment:

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

Condition:

- Be advised that a demolition permit is required for the existing detached garage on Part 2.

B-12/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 1.

Condition:

- No comment

B-13/20SC – 389 Grantham Avenue

Comment:

- Be advised that a building permit is required for the proposed one half of a semi-detached dwelling on Part 2.

Condition:

- Be advised that a demolition permit is required for the existing pool on Part 2.

B-14/20SC – 12 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-15/20SC – 14 Ashford Place

Comment:

- No Comment

Condition:

- No comment

B-16/20SC – 1302 President Court

Comment:

- Be advised that a building permit is required for the proposed single detached dwelling on Part 3.

Condition:

- No comment

A handwritten signature in blue ink, appearing to be 'S. Sunderland', with a stylized flourish at the end.

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



Memorandum

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

Cc: Evan Acs, Wilrik Banda, Amanda Knutson, Conner Wright
Planning and Building Services

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

Date: February 11, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – February 26, 2020 hearing

NO.	ADDRESS	COMMENTS
A-136/19	114 Lake Street	No Comment
A-16/20	1688 Gregory Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-17/20	23 Lincoln Avenue	No Comment
A-21/20	43A Grandview Dr.	Be advised that a building permit is required for the proposed 2 storey detached dwelling unit.
A-22/20	43B Grandview Dr.	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-23/20	9 Blair Crescent	Be advised that a building permit is required for the proposed second storey addition to the detached dwelling unit. Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-24/20	389 Grantham Ave.	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-25/20	35 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-26/20	37 Buchanan Road	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.

NO.	ADDRESS	COMMENTS
A-27/20	12 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-28/20	14 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-29/20	16 Ashford Place	Be advised that reductions in the required yards may have spatial separation implications affecting the permitted type of construction facing those yards.
A-30/20	237B Scott Street	No Comment



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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-16/20SC



February 7th, 2020

ENGINEERING FILE 300-36

Hearing Date: February 26th, 2020

Applicant: 1473941 Ontario Ltd. (Anthony Continelli)

Location: 1302 President Court

MUNICIPAL SERVICES

Water:	None
Sanitary:	None
Storm:	None
Sidewalks:	No
Road Allowance:	14.2m±

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

Comment(s): It is noted that the Owner proposes to adjust the property lines by adding Part 1 and Part 3 to Part 4. The remnant parcel, Part 1, would be retained for continued residential use.

Roads

President Court is designated as a Local Road in the City's Official Plan with a desired right-of-way width of 20.0m. The current width is +/- 14.2m. In situations such as this where the roadway is a dead end, the City will accept an 18m R.O.W. Therefore, the City requires a 1.9m widening at this time.

Sidewalks do not exist along the frontages of the subject property and are not included on the City's list of priority sidewalks. Therefore, no contribution for future sidewalks is required at this time.

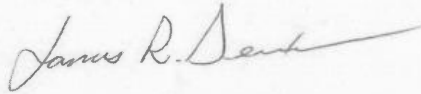
Municipal Services

There are no municipal services (water, sanitary or storm) on President Court across the frontage of this property. Since the properties are outside the City's Urban Boundary, no Municipal services can be extended. Private Water and Sewage systems appear to exist. The Region of Niagara has jurisdiction over these private systems.

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

- Provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office; 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 R Denham, P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: February 11, 2020

Subject: Committee of Adjustment
Public Hearings – February 26, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist
SB/