
Revised Agenda

Under the authority of the *Municipal Act Emergency Management and Civil Protection Act* and the *Statutory Powers Procedure Act*, City Council approved Committee of Adjustment Hearings to be held electronically during an Emergency through By-law 2020-49.

This Meeting may be viewed online at www.stcatharines.ca/youtube

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
6. Motion to Adopt the Minutes of the previous Hearing held on June 10, 2020.
7. Application:
 6. 49A Thomas Street, Consent B-29/20SC – 60.84.2306
 - * 1. 13 Valley Road, Consent B-25/20SC – 60.84.2302
13 Valley Road, Consent B-26/20SC – 60.84.2303
13 Valley Road, Consent B-27/20SC – 60.84.2304
13A Valley Road, Minor Variance, A-55/20 – 60.81.5645
13B Valley Road, Minor Variance, A-56/20 – 60.81.5646
13C Valley Road, Minor Variance, A-57/20 – 60.81.5647
13D Valley Road, Minor Variance, A-58/20 – 60.81.5648
 2. 8 Glenholme Drive, Minor Variance A-59/20 – 60.81.5649
 3. 68 Highland Avenue, Minor Variance A-60/20 – 60.81.5650
 - * 4. 2 North Street, Consent B-28/20SC – 60.84.2305
 5. 64 Currie Street, Minor Variance, A-61/20 – 60.81.5651
 7. 82 Huntington Lane, Minor Variance A-62/20 – 60.81.5652
- * Planning Reports to be available on Monday. Comments available on the City's website.
9. New Business:
10. Date of next Hearing: July 29, 2020
11. Adjournment

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

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

COMMENTS

B-29/20SC (60.84.2306)

49A Thomas Street

DATE OF HEARING:
June 24, 2020



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 19, 2020

Date of Meeting: June 24, 2020

Report Number: B-29/20SC

File: 60.84.2306

Subject: 49A Thomas Street (to be added to 218 Ontario Street)

Recommendation

That Submission **B-29/20SC**, by Baljinder Brar, Pritam Sandhu and Zora Sandhu, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That the Owner shall prepare and submit a topographic grading and drainage plan by a qualified Engineer or Ontario Land Surveyor, identifying existing and proposed grades on the subject lands and all abutting properties, for review and comment by City staff.
2. 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 Applicant will provide the Secretary-Treasurer of the Committee of Adjustment with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties (Parts 2 and 3) will be merged and become one parcel of land. The Owner will be responsible to pay the costs associated with any deeming by-law that might be required to merge the properties.
3. That the existing shed on Part 3 on the submitted sketch and the detached garage on Parts 2 and 3 on the submitted sketch, be removed or relocated to the satisfaction of the Chief Building Official. A demolition permit is required for any structure greater than 10 square metres (108 square feet).
4. That the Owner provide the Secretary-Treasurer of the Committee of Adjustment with the acknowledgement and direction for conveyance of Part 2, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
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 all conditions of consent be fulfilled by June 24, 2021.

The Report

The Proposal

The Applicant proposes a boundary adjustment between 49A Thomas Street and 318 Ontario Street. Accordingly, Application B-29/20SC is made for consent to convey a

portion of the rear yard of 49A Thomas Street (Part 2 on the submitted sketch), being 223.15 m² of land, which will be added to the abutting lot to the southwest, known municipally as 218 Ontario Street (Part 3), for future development. A 275.0 m² remnant parcel (Part 1) is to be retained for continued residential use of the detached dwelling at 49A Thomas Street.

Location and Site Description

49A Thomas Street (Parts 1 and 2 on the submitted sketch) is located on the west side of Thomas Street, between Lousia Street and Chaplin Avenue. The property currently contains one detached dwelling. The surrounding area consists primarily of residential dwellings, apartment buildings, and some mixed use buildings to the west along Ontario Street.

218 Ontario Street (Part 3 on the submitted sketch) abuts 49A Thomas Street along the rear lot line. It is currently vacant and has access to Ontario Street. The lands appear to be used as access and storage for 216 Ontario Street, the southerly abutting property which contains a detached dwelling.

There is an existing shed on Part 3, and an existing detached garage located over the lot line between Parts 2 and 3.

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)

49A Thomas Street (Parts 1 and 2) is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E4 thereof. The Medium Density Residential designation permits detached dwellings at a density range generally between 25 and 99 units per hectare of land.

318 Ontario Street (Part 3) is designated Mixed Use on Schedule D1 of the GCP and Schedule E4 thereof.

Zoning By-law (2013-283)

49A Thomas Street (Parts 1 and 2) is zoned Medium Density Residential (R3). Detached dwellings are permitted.

318 Ontario Street (Part 3) is zoned Medium Density Mixed Use (M1). The M1 zone permits a variety of residential dwelling types, as well as a mix of residential and commercial, office, recreational and institutional uses, subject to the provisions of the Zoning By-law. There is no development proposed at this time.

Planning Analysis

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

The proposed boundary adjustment would increase the lot area of 218 Ontario Street and facilitate future development on that property. The lot as it currently exists is irregular in shape and the angles of the property boundaries constrain potential development. By adding Part 2 to Part 3 the lot shape will still be quite irregular, but space constraints at the rear of the property would be somewhat relieved. The Applicant may wish to consider acquiring additional lands surrounding 218 Ontario Street prior to developing the site. The lot configuration and shape, while irregular, are considered appropriate since development potential is increased and any future development will be designed to suit the lot.

The boundary adjustment, as proposed, will create a remnant parcel (Part 1) that complies with the Zoning By-law. The remnant parcel has sufficient lot area and rear yard setback; lot frontage and all other setbacks exist and cause no concerns with the impact of the severance.

49A Thomas Street will lose some lot depth, becoming much shallower than the immediately adjacent lots. However, many of the surrounding properties vary greatly in both shape and size. Thus, the character of the neighbourhood, as established, is variable in nature and staff have no concerns that the proposal to sever off a portion of the existing rear yard of 49A Thomas Street would depart from this established character. Overall, staff are supportive of the proposed lot boundary adjustment.

The Applicant should be aware that should this consent be approved, future development on 218 Ontario Street may be subject to Site Plan Control. Further, Zoning By-law and Official Plan Amendments may be required, particularly as it relates to Part 2, depending on the nature of the proposed development. These additional planning approvals would be addressed through the appropriate processes at the time a development is proposed and are, therefore, not recommended as a condition of this consent.

There are two accessory buildings located on the subject lands, being a shed on Part 3 and a detached garage across Parts 2 and 3. The Zoning By-law precludes the use of accessory structures on vacant parcels of land. Prior to finalization of the consent, the Owner is required to remove or relocate both the shed and detached garage to comply with the Zoning By-law.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Application **B-29/20SC** is consistent with the policies of the Official Plan and provisions of the Zoning By-law, and will have no adverse impacts on the surrounding

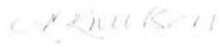
area. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



Amanda Knutson
Senior Development Planner (Planner II)

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 4 - Last Email - 905-20-149

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: Friday, June 12, 2020 3:07 PM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 4 - Last Email - 905-20-149

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

Re: B-29/20SC

Subsequent to review of Consent Application at 49A Thomas Street, Bell Canada's engineering department have determined that there are no concerns or issues at this time.

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

Best regards,

Carrie Gordon



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

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 4 - Last Email

49A Thomas
82 Huntington

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

Sent: Monday, June 1, 2020 12:12 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 June 24/20 CofA Hearing - Email 4 - Last Email

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

Email 4

Cogeco has no issue or concerns with these applications

Have a wonderful day

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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 24, 2020 hearing

B-25/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-26/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-27/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-28/20SC – 2 North Street

Comment:

- No Comment

Condition:

- No Comment

B-29/20SC – 49A Thomas Street

Comment:

- No Comment

Condition:

- No Comment

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

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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

- 1.13 Valley Road, Consent B-25/20SC – 60.84.**
- 13 Valley Road, Consent B-26/20SC – 60.84.2303**
- 13 Valley Road, Consent B-27/20SC – 60.84.2304**
- 13A Valley Road, Minor Variance, A-55/20 – 60.81.5645**
- 13B Valley Road, Minor Variance, A-56/20 – 60.81.5646**
- 13C Valley Road, Minor Variance, A-57/20 – 60.81.5647**
- 13D Valley Road, Minor Variance, A-58/20 – 60.81.5648**

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-29/20SC



June 16, 2020

ENGINEERING FILE 300-36

Hearing Date: June 24, 2020

Applicant: Baljinder Brar, Pritam Sandhu & Zora Sandhu

Location: 49A Thomas Street

<u>MUNICIPAL SERVICES</u>	Thomas Street	Ontario Street (Regional)
Water:	150mm (6") P.V.C.	300mm (12") P.V.C. 600mm (24") Regional Trunk
Sanitary Sewer:	200mm (8") P.V.C.	200mm (8") Clay 1500mm (60") Regional Trunk
Storm Sewer:	375mm (15") P.V.C.	375mm (15") Regional
Sidewalks:	Yes	Yes
Road Allowance Width:	20.12m (66')	14.1m± (46') Regional

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 on the Sketch to be added to the south-west lot known municipally as 218 Ontario Street (Part 3) for future residential development. A remnant parcel (Part 1) is to be retained for continued residential use.

Roads

Thomas Street is designated a Local road in the City's Official Plan with a desired right-of-way width of 20.12m (66'). Its current width across the frontage of the subject property is adequate and no widenings along Thomas Street will be required with this application.

Ontario Street is a Regional Arterial road in the City's Official Plan under Regional jurisdiction. Any requirements to the Regional right-of-way shall be at the Region's discretion.

Sidewalks and curbs exist along both the frontages of the subject lands. Care should be taken not to damage these services with the construction of a proposed development, if approved. A sidewalk damage deposit shall be obtained through the normal Building Permit process.

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. A topographic grading and drainage plan must be prepared by a qualified Engineer or Ontario Land Surveyor, identifying existing and proposed grades on the subject lands and all abutting properties, submitted for review and comment by City staff, prior to approval and the finalization of the Consent. City staff will review the grading plan to ensure that the

drainage scheme of the existing and 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 storm sewer. Since a storm sewer exist on Ontario Street, weeping tile flows shall be pumped via sump pump and, **at the discretion of the Region**, discharged to a storm sewer lateral directly to the *Regional* storm sewer, if approved. The cost of the storm sewer lateral shall be the Owner's responsibility through servicing fees calculated through the Building Permit. Roof water leaders (downspouts) shall be directed to discharge to the front of the proposed lot to Ontario Street, **at the discretion of the Region**. Otherwise, accommodations other than the above shall be addressed accordingly through a Stormwater Management Report as required through the development process to the City's and the Region's satisfaction.

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

- Prepare and submit a topographic grading and drainage plan by a qualified Engineer or Ontario Land Surveyor, identifying existing and proposed grades on the subject lands and all abutting properties, for review and comment by City staff, prior to approval and the finalization of the Consent



Prepared by:

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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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

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-25/20SC (60.84.2302), B-26/20SC
(60.84.2303), B-27/20SC (60.84.2304), A-
55/20 (60.81.5645), A-56/20 (60.81.5646),
A-57/20 (60.81.5647) & A-58/20
(60.81.5648)**

13 Valley Road

**DATE OF HEARING:
June 24, 2020**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 17, 2020

Date of Meeting: June 24, 2020

Report Number: B-25/20SC
B-26/20SC
B-27/20SC
A-55/20
A-56/20
A-57/20
A-58/20

File: 60.84.2302 (13A & 13C Valley Road)
60.84.2303 (13B Valley Road)
60.84.2304 (13D Valley Road)
60.81.5645 (13A Valley Road)
60.81.5646 (13B Valley Road)
60.81.5647 (13C Valley Road)
60.81.5648 (13D Valley Road)

Subject: 13 Valley Road (to become 13A, 13B, 13C and 13D Valley Road)

Recommendation

Consent

That Application **B-25/20SC** by Dina Khan, as outlined in the Notice of Hearing, be approved subject to the conditions outlined in Appendix 1.

That Application **B-26/20SC** by Dina Khan, as outlined in the Notice of Hearing, be approved subject to the conditions outlined in Appendix 1.

That Application **B-27/20SC** by Dina Khan, be approved such that a new 452 m² parcel (Part 4 on the submitted sketch) be created and a 570.5 m² parcel (Part 3 on the submitted sketch) be retained, subject to the conditions outlined in Appendix 1.

Minor Variance

That Applications **A-55/20**, **A-56/20**, **A-57/20** and **A-58/20** by Dina Khan, as outlined in the respective Notices of Hearing, be approved.

Report

The Proposal

The Applicant proposes to demolish the existing detached dwelling at 13 Valley Road, which would be replaced by four new semi-detached dwelling units to be known as 13A Valley Road, 13B Valley Road, 13C Valley Road, and 13D Valley Road. The existing lot will be severed into four parcels (three new lots plus one retained), each containing one semi-detached dwelling unit. Accordingly, the following Consent Applications have been submitted for consideration:

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-25/20SC	Parts 3 & 4 (to be known as 13C Valley Road)	1,023.5 m ²	Parts 1 & 2 (to be known as 13A Valley Road)	999.5 m ²
B-26/20SC	Part 2 (to be known as 13B Valley Road)	547 m ²	Part 1 (to be known as 13A Valley Road)	452.5 m ²
B-27/20SC	Part 4 (to be known as 13D Valley Road)	453 m ² **(noted in error as 547 m ² on Notice of Hearing)	Part 3 (to be known as 13C Valley Road)	570 m ² **(noted in error as 452.5 m ² on Notice of Hearing)

Concurrent Minor Variance Applications seek relief from the City of St. Catharines through the variances outlined below:

Application	Variance #	Zoning Provision	Required	Proposed
A-55/20 13A Valley Road (Part 1)	1	Minimum Lot Frontage	12 metres	7.07 metres
A-56/20 13B Valley Road (Part 2)	1	Maximum Lot Area	465 m ²	547 m ²
	2	Minimum Lot Frontage	12 metres	8.53 metres
A-57/20 13C Valley Road (Part 3)	1	Maximum Lot Area	465 m ²	570.5 m ²
	2	Minimum Lot Frontage	12 metres	8.76 metres
A-58/20 13D Valley Road (Part 4)	1	Minimum Lot Frontage	12 metres	7.01 metres

Location and Site Description

The subject property is located on the east side of Valley Road, west of Louth Street. The property is surrounded by detached dwellings.

The property is currently occupied by a detached dwelling and a number of accessory buildings, all of which are proposed to be removed.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7 thereof. Semi-detached dwellings are permitted in this designation at a density range of 20 to 32 units per hectare. The proposed four semi-detached dwelling units represent a density of 20 units per hectare. The proposal complies with the Low Density Residential policies of the GCP.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Semi-detached dwellings are permitted in this zone.

Planning Analysis

Consent

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

Consent Applications **B-25/20SC**, **B-26/20SC** and **B-27/20SC** request to sever the subject property for the purpose of constructing four semi-detached dwelling units; each of the four units will be under separate ownership. Two of the proposed lots exceed the maximum lot area permitted by the Zoning By-law; 13B Valley Road will have a density of 17.5 units per hectares; 13C will have a density of 18.3 units per hectare. While these densities are lower than what is generally permitted in the Low Density Residential designation, where 20 units per hectare is the minimum density, staff note that the geometry of the existing lot results in the increased lot area and lower density. Staff is satisfied that these densities meet the intent of the GCP. The lots that will become 13A and 13D Valley Road will each have a density of about 22 units per hectare and the overall density of the lands will be about 20 units per hectare. Staff are of the opinion that the scale of the proposed building and overall lot area are in keeping with the character of the neighbourhood. The proposal demonstrates that there is sufficient space on each of the lots to accommodate a building envelope, parking, landscaping, and amenity areas.

Staff are satisfied that the proposal is consistent with the Official Plan. Concurrent Minor Variance Applications considered in this report will address lot area and lot frontage deficiencies. There are no anticipated impacts as a result of the severances.

Staff are supportive of Consent Applications **B-25/20SC**, **B-26/20SC** and **B-27/20SC**, subject to the conditions outlined in the respective recommendations herein.

Design Review Panel

City of St. Catharines Council directed the establishment of the Design Review Panel (DRP) to provide design recommendations on proposals for infill and intensification. 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 consent to enforce conditions for design of future development.

The Applicant's proposal was submitted to the DRP for consideration in February 2020. DRP members commented that the proposal appears to be a good fit for the area and support the proposed architectural design approach. DRP members noted that the approach of having an attached garage on only one side of each semi-detached dwelling unit was desirable. DRP members did however express concern with the extent of frontage dedicated to driveways and want to ensure that pavement width is limited. It was also recommended that the northerly two units be setback slightly further from the street to align with the neighbouring home to the north (11 Valley Road) and provide some staggering, and that existing trees in the proposed rear yards be retained.

Ultimately, the DRP supported the proposed severances and elevation plans, subject to the following modifications:

- i. That the setback of the northerly units be increased to align with the neighbouring home;
- ii. That the proposed detached garages be considered optional in any future Development Agreement; and
- iii. That the existing trees in the proposed rear yards be retained.

Staff have incorporated the DRP's recommendations into the conditions of consent.

Minor Variance

Variance 1 of Applications A-55/20 and A-58/20 and Variance 2 of Applications A-56/20 and A-57/20

The Applicant has requested a reduction in the minimum lot frontage for each of the three new lots as well as the retained lot. The required minimum lot frontage for semi-detached dwellings is 12 metres per dwelling unit. The lot to become 13A Valley Road will have a frontage of 7.07 metres; 13B will have a frontage of 8.53 metres; 13C will have a frontage of 8.76 metres; and 13D will have a frontage of 7.01 metres. Approval of the variances would permit the severance of the new lots at a reduced frontage and permit the development of four semi-detached dwelling units. The reduction is considered minor in nature.

The proposed frontage reduction would facilitate development of the semi-detached dwellings, which have been designed so that each semi-detached dwelling will have the

appearance of a detached dwelling. The reduced frontage for each semi-detached dwelling unit will be indiscernible from the street. The resulting building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. Even with the reduced frontage, adequate parking for at least two vehicles per unit will still be provided. Therefore, reduced frontages should not cause any adverse impacts on surrounding properties. The reduced frontages are considered desirable for the appropriate use of the subject lands.

The intent of the 12 metre minimum frontage is to ensure that a sufficiently sized yard is provided for semi-detached dwelling units to accommodate parking, facilitate on-site drainage and provide an acceptable building envelope for construction. The proposed lots will have a geometry of being more narrow but very deep. The Applicant has demonstrated that parking, drainage and a building envelope can be accommodated on these lots despite the reduced frontage. 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. Staff finds the proposed semi-detached dwellings are able to achieve these policies; they are designed to fit the context of an established neighbourhood. The dwelling units meet side and rear yard setbacks and should not cause any adverse impacts on neighbouring properties. The proposal is in keeping with the intent of the Official Plan.

Staff are of the opinion that Variance 1 of each of Applications A-55/20 and A-58/20 and Variance 2 of each of Applications A-56/20 and A-57/20 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. As such, staff recommend approval of Variance 1 of each of Applications **A-55/20** and **A-58/20** and Variance 2 of each of Applications **A-56/20** and **A-57/20**.

Variance 1 of Applications A-56/20 and A-57/20

The Applicant has requested an increase in the maximum lot area for two of the new lots proposed in this Application. The required maximum lot area for semi-detached dwellings is 465 square metres per dwelling unit, while the lot to become 13B Valley Road will have a lot area of 547 square metres and the lot to become 13C Valley Road will have a lot area of 570.5 square metres. Approval of the variances would permit the severance of these two new lots with an increased lot area. The reduction is considered minor in nature.

The proposed increased lot areas would facilitate development of the semi-detached dwellings. The dwellings have been designed so that each semi-detached dwelling will have the appearance of a detached dwelling. The increased lot area for two of the semi-detached dwelling units will be indiscernible from the street. The resulting building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. Increased lot areas should not cause any adverse impacts

on surrounding properties. The increase in maximum lot area is considered desirable for the appropriate use of the subject lands.

The intent of the 465 square metre maximum lot area is to regulate density and prevent underdevelopment. As discussed above, the proposed densities generally align with the density parameters outlined in the GCP. The geometry of the existing lot and the layout of the proposed lot fabric, will result in two lots being oversized. It would be difficult to add additional dwelling units over the proposed four semi-detached ones without encountering additional zoning deficiencies. 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. Staff finds the proposed semi-detached dwellings are able to achieve these policies. The increase in maximum lot area contributes to the overall development fitting the context of an established neighbourhood. The proposal is in keeping with the intent of the Official Plan.

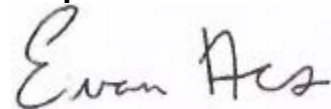
Staff are of the opinion that Variance 1 of each of Applications A-56/20 and A-57/20 are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the lands. As such, staff recommend approval of Variance 1 of each of Applications **A-56/20** and **A-57/20**.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-25/20SC**, **B-26/20SC** and **B-27/20SC** 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 Appendix 1.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-55/20**, **A-56/20**, **A-57/20** and **A-58/20** 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.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Senior Development Planner
(Planner II)

Appendix 1 – Conditions of Consent

Applications B-25/20SC, B-26/20SC, B-27/20SC

Application B-25/20SC

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 13 Valley Road addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 1, 2, 3 and 4, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been satisfied:
 - i. that building permit plans be generally in accordance with the elevation concepts submitted with the Consent Application.
 - ii. that the survey sketch submitted with the building permit plans be revised to provide the correct front yard setbacks for 11 Valley Road and 15 Valley Road, and that the front yard set back for Parts 1 and 2 be the average front yard plus 0.75 metres.
 - iii. that individual driveway widths for each of Parts 1, 3 and 4 not exceed 3.05 metres and for Part 2 not exceed 2.63 metres.
 - iv. that the detached garages on Parts 2 and 3 can be constructed subsequent to the dwelling units.
 - b. That a grading plan and stormwater management report, both prepared by a qualified Ontario Land Surveyor, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been addressed:
 - i. that runoff from all roofs, rear yards, side yards, front yards, and sump pump discharges will be accommodated without adversely affecting neighbouring properties;
 - ii. that all servicing laterals and site alterations be located outside the dripline of the existing trees along the north lot line of Part 1 and the east lot line of Parts 2, 3, and 4 in order to ensure the best possible outcome for the retention of those trees.
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, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
5. That the Owner submit a payment for the placement of a 60mm boulevard tree in front of Part 3, in accordance with the City's current Schedule of Rates and Fees.
6. That the Owner submit payment of 5% of the appraised value of Parts 3 and 4, as determined by a qualified appraiser, 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'.

7. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
8. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 (2020 rate) payable to the Treasurer, City of St. Catharines.
9. That final approval of the concurrent Minor Variance Applications be approved.
10. That all conditions of consent be fulfilled by June 24, 2021.

Application B-26/20SC

11. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 13 Valley Road addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 1, 2, 3 and 4, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been satisfied:
 - i. that building permit plans be generally in accordance with the survey sketch, dated April 8 2020 by William Mascoe, OLS and elevation concepts submitted with the Consent Application.
 - ii. that the survey sketch submitted with the building permit plans be revised to provide the correct front yard setbacks for 11 Valley Road and 15 Valley Road, and that the front yard set back for Parts 1 and 2 be the average front yard plus 0.75 metres.
 - iii. that individual driveway widths for each of Parts 1, 3 and 4 not exceed 3.05 metres and for Part 2 not exceed 2.63 metres.
 - iv. that the detached garages on Parts 2 and 3 can be constructed subsequent to the dwelling units.
 - b. That a grading plan and stormwater management report, both prepared by a qualified Ontario Land Surveyor, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been addressed:
 - iii. that runoff from all roofs, rear yards, side yards, front yards, and sump pump discharges will be accommodated without adversely affecting neighbouring properties;
 - iv. that all servicing laterals and site alterations be located outside the dripline of the existing trees along the north lot line of Part 1 and the east lot line of Parts 2, 3, and 4 in order to ensure the best possible outcome for the retention of those trees.
12. 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.
13. 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.

14. That the Owner complete, on private 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.
15. That the Owner submit a payment for the placement of a 60mm boulevard tree in front of Part 2, in accordance with the City's current Schedule of Rates and Fees.
16. That the Owner submit payment of 5% of the appraised value of Part 2, as determined by a qualified appraiser, 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'.
17. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
18. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 (2020 rate) payable to the Treasurer, City of St. Catharines.
19. That final approval of the concurrent Minor Variance Applications be approved.
20. That all conditions of consent be fulfilled by June 24, 2021.

Application B-27/20SC

21. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 13 Valley Road addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 1, 2, 3 and 4, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been satisfied:
 - i. that building permit plans be generally in accordance with the survey sketch, dated April 8 2020 by William Mascoe, OLS and elevation concepts submitted with the Consent Application.
 - ii. that the survey sketch submitted with the building permit plans be revised to provide the correct front yard setbacks for 11 Valley Road and 15 Valley Road, and that the front yard set back for Parts 1 and 2 be the average front yard plus 0.75 metres.
 - iii. that individual driveway widths for each of Parts 1, 3 and 4 not exceed 3.05 metres and for Part 2 not exceed 2.63 metres.
 - iv. that the detached garages on Parts 2 and 3 can be constructed subsequent to the dwelling units.
 - b. That a grading plan and stormwater management report, both prepared by a qualified Ontario Land Surveyor, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been addressed:

- v. that runoff from all roofs, rear yards, side yards, front yards, and sump pump discharges will be accommodated without adversely affecting neighbouring properties;
 - vi. that all servicing laterals and site alterations be located outside the dripline of the existing trees along the north lot line of Part 1 and the east lot line of Parts 2, 3, and 4 in order to ensure the best possible outcome for the retention of those trees.
- 22. 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.
- 23. 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.
- 24. That the Owner complete, on private 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.
- 25. That the Owner submit a payment for the placement of a 60mm boulevard tree in front of Part 4, in accordance with the City's current Schedule of Rates and Fees.
- 26. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
- 27. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$214.80 (2020 rate) payable to the Treasurer, City of St. Catharines.
- 28. That final approval of the concurrent Minor Variance Applications be approved.
- 29. That all conditions of consent be fulfilled by June 24, 2021.

Munro, Elaine

Subject:

RE: 13 Valley RD

From: Ann & Charles Riches <>

Sent: Wednesday, June 10, 2020 1:21 PM

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

Subject: 13 Valley RD

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 : Here are my 3 issues concerning the development at 13 Valley Rd :

Rats have been a issue at that address in the past. Will the destruction of the existing building cause a rat problem ?

Our sewer pipe on Valley Rd was recently relined . Will this new development overload our sewer system . If it will do we

Pay for it to be upsized pipe or does the developer foot the bill. Could the developer go the OMB and get them to force us to

To foot the bill?

How many parking spots per unit is the developer planning to supply? Most families have 2 cars these days.

The home at 13 Valley Rd. is located next to a curve on Valley Rd. Will the new people at this development be parking on

The street , if so , will they be parking on the curve portion of Valley Rd. ? Is THIS legal ?

Please get back to me regarding these issues .

Charlie Riches
2 Valley Rd.
St Catharines On.

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

Munro, Elaine

Subject:

RE: 13 Valley Road, St. Catharines

From: info@esolutionsgroup.ca <info@esolutionsgroup.ca> **On Behalf Of** Joyce Ricker

Sent: Monday, June 15, 2020 12:08 PM

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

Subject: 13 Valley Road, St. Catharines

<p>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.</p>
--

There is a severance application for 13 Valley Road. I understand there will be 2 townhouse units (4 families) allowed to build on this large property.

The ONLY concern we have is PARKING PARKING PARKING.

Builders tend to allow 1 1/4 spaces per unit for parking. Who has 1/4 car? Valley Road is a narrow road with only ditches and no sidewalks. 13 Valley is on a corner as well. Parking is a nightmare on the street as is. City Council needs to make sure there is adequate parking allowed for with these new units. Thank you

Origin: <https://www.stcatharines.ca/en/governin/committee-of-adjustment.asp>

This email was sent to you by Joyce Ricker< > through <https://www.stcatharines.ca/>.

Munro, Elaine

Subject:

RE: File 60.81.5648 Submission No. A-58/20

From: David Fleming < >

Sent: Tuesday, June 16, 2020 8:50 PM

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

Subject: Re: File 60.81.5648 Submission No. A-58/20

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

Dear Secretary-Treasurer Munro

This e-mail is to object to the construction and requested variance(s) requested for the application A-58/20 as per copy received earlier last week.

My objection is the inevitable height of these dwellings which will tower over neighbouring properties however, primarily I am opposed to the requested variance from 12 metres to 7.01.

I feel there is truly no need for this variance. Examination of the drawings submitted shows clearly that there is more than ample room at the rear of the property to shift the entire construction project back on the proposed lot site and still retain a rear yard depth in excess of 10 metres which in itself is virtually unheard of these days and More than ample for virtually any building lot these days. Most lots have nowhere near that rear depth.

Allowing this variance will mean that these semi-detached homes will "stick out" closer to the roadway and not remain in the sight line of current, existing residences AND, with the shortened driveways which would result in the variance, visitors and possibly residents will be parking on the roadway, currently on a blind curve which is already dangerous. We have a challenged daughter who daily travels to and from work via this route and it is dangerous enough as it is without her having to dodge around parked cars in her motorized wheelchair. Street parking in this area CANNOT BE ALLOWED. There have been countless close calls especially in the winter months when shoulders are snow covered (this road is seldom plowed), and people are driving in the middle of the road around the corner.

There is also the concern that the sewer line has just been relined due to age of the piping, a project completed just this past spring. Now there are to be 4 more dwellings on this already heavily taxed system??

Finally, I am GREATLY concerned that if this multiple unit construction is allowed the City of St. Catharines is setting a very dangerous precedent for future such projects. You let them do it here, why not here too, or there? Where does it stop. Increasing the city tax base by cramming such construction into small well-developed areas is not the way to go about it.

In closing

I M OPPOSED TO the requested variance since the entire project could be shifted BACK on the lot to retain the 12 metre standard.

Resident and visitor parking CANNOT be allowed on this street at that corner for safety reasons.

Current infrastructure may be inadequate for such a construction project.

Allowing the requested variance and the entire project AS SUBMITTED sets a very dangerous precedent for future construction applications.

I would also like to request a copy of the Notice of Decision when available.

Thank You for your consideration.

Best Regards

David Fleming
19 Valley Road
St. Catharines, ON
L2S 1Y7

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

June 5, 2020

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

Attention: Elaine Munro

File# 60.84.2302, 60.84.2303, 60.84.2304, 60.81.5645, 60.81.5646, 60.81.5647 and 60.81.5648

Re: 13, 13A-13D Valley Rd

In response to your correspondence dated June 1, 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.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

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

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

Mark Jakubowski
Supervisor, Design, Customer Capital

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 1 - 905-20-147

From: Gordon, Carrie <carrie.gordon@bell.ca>

Sent: Friday, June 12, 2020 3:05 PM

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

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 1 - 905-20-147

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Hi Elaine

Re: B-25/20SC - B-27/20SC

Subsequent to review of Consent Application at 13 Valley Road, Bell Canada's engineering department have determined that there are no concerns or issues at this time.

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

Best regards,

Carrie Gordon



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

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 1

13 Valley – B-25 to 27/20SC & A-55/20

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

Sent: Monday, June 1, 2020 12:03 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 June 24/20 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.

Happy Monday

Email 1

Cogeco has no issue 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
June 24/20 CofA Hearing - Email 2

13 Valley 0 A-56/20 to A-58/20,
8 Glenholme

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

Sent: Monday, June 1, 2020 12:05 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 June 24/20 CofA Hearing -
Email 2

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you recognize the sender and know the content is safe.

Email 2

Email 1

Cogeco has no issue 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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 24, 2020 hearing

B-25/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-26/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-27/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-28/20SC – 2 North Street

Comment:

- No Comment

Condition:

- No Comment

B-29/20SC – 49A Thomas Street

Comment:

- No Comment

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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 24, 2020 hearing

NO.	ADDRESS	COMMENTS
A-55/20	13A Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-56/20	13B Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-57/20	13C Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-58/20	13D Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-59/20	8 Glenholme Drive	No Comment

NO.	ADDRESS	COMMENTS
A-60/20	68 Highland Avenue	Be advised that a building permit is required for the proposed Second Storey Addition and Rear Covered Porch. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-61/20	64 Currie Street	No Comment
A-62/20	82 Huntington Lane	Be advised that a building permit is required for the proposed One Storey Addition. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.



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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

1.13 Valley Road, Consent B-25/20SC – 60.84.

13 Valley Road, Consent B-26/20SC – 60.84.2303

13 Valley Road, Consent B-27/20SC – 60.84.2304

13A Valley Road, Minor Variance, A-55/20 – 60.81.5645

13B Valley Road, Minor Variance, A-56/20 – 60.81.5646

13C Valley Road, Minor Variance, A-57/20 – 60.81.5647

13D Valley Road, Minor Variance, A-58/20 – 60.81.5648

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

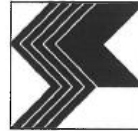
If Planning and Building Services determines that parkland dedication can be collected for this application, CRCS requests the following condition of severance:

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-25-27/20SC



June 16, 2020

ENGINEERING FILE 300-36

Hearing Date: June 24th, 2020
Applicant: Dina Khan
Location: 13 Valley Road

MUNICIPAL SERVICES

Valley Road

Water: 150mm P.V.C. Main
19mm service connection approx. 8.0m north of south property line

Sanitary Sewer: 200mm (Clay) Main 2.7m± deep
Service connection approx. 11.0 south of manhole

Storm Sewer: None

Sidewalks: None

Road Allowance Width: 20.12m (66')

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

Comment(s): It is noted that the Applicant proposes to sever Parts 3 and 4 creating two new lots for the proposed construction of a semi-detached dwelling. Parts 1 and 2 shall be retained for the proposed construction of an additional semi-detached dwelling through concurrent consent applications B-26&27/20SC. The applications would allow each unit to be owned and/or sold separately.

Roads

Valley Road is designated a Local Road in the City's Official Plan with a desired right-of-way width of 20.12m. Its current width along the frontage of the subject lands is sufficient, therefore, the City shall not be requiring any additional widenings along the frontage of the subject property through these applications.

Sidewalks

Sidewalks do not exist along this section of Valley Road as the road exists in a semi-urban cross-section state. As per the Garden City Plan, Council has directed we achieve "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today's standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bike lanes and meeting the Garden City Plan initiatives driven by Council, it is normally required that the Owner make a cash contribution for the construction of future sidewalks along the frontage of the subject lands. Understanding

that Valley Road is not currently on a priority sidewalk list for construction in the near future, the City will not require a cash-in-lieu payment towards sidewalks with these applications.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established areas sometimes do not have suitable drainage outlets in place. Lot drainage plans are generally a requirement for review and approval at the building permit stage and are submitted at that time to ensure that the drainage scheme of the future lots convey drainage flows to a suitable outlet and do not adversely affect abutting properties. Recent experience with these types of intensified developments reveal that the minimum side yard setback per the Zoning Bylaw is not sufficient to accommodate both a walkway to provide access to the rear yard, and drainage swales. Therefore prior to finalizing these severance applications a Grading and Drainage Plan shall be submitted and approved by City Staff, as well as a Stormwater Management Report prepared by a Professional Engineer shall be prepared and submitted to ensure pre-development flows do not exceed post-development flows up to and including the 5-year storm event.

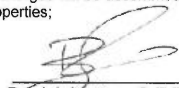
Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer does not exist on Valley Road, sump pump flows shall be discharged to grade at the front yards only, unless otherwise approved by the City Engineer. These items and all proposed downspouts shall be identified as to their proposed outlets on the grading plan for review and approval prior to the severance finalization.

The Owner shall also be responsible to pay the City the fee to locate and trace the existing water and sewer laterals from the existing home to ensure they do not cross any abutting and/or future lot lines and that they are of suitable size and condition for reuse for one of the proposed units. If these services are determined to cross abutting and/or future potential lot lines, or if the size or condition is not suitable for reuse, the Owner shall, prior to finalizing the severances, pay to have the service relocated, and/or decommissioned. If the owner wishes to continue to use the existing services for future use, they shall be responsible to complete any relocation works on private property through a Plumbing Only permit so as not to continue private service crossings over abutting and/or future lot lines. The Owner shall pay the City the fees to provide all new water services and new sanitary services within the road allowance to the new property lines in order for each property to be serviced individually.

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

- Pay the fee for City crews to locate, trace, and confirm the size and condition of the existing sewer lateral and water service to the existing building. If either or both the sewer lateral and water services are deemed by the City to be unsuitable for re-use, the Owner shall pay the cost of decommissioning the existing services. The above costs shall be in accordance with the City's approved Schedule of Rates and Fees in effect at the time; and
- Provide a Site Grading & Drainage Plan and a Stormwater Management Report, for review and approval by City Staff, prepared by a qualified Engineer, that shows how all drainage for the roofs, rear yards, side yards, front yards and sump pump discharges will be accommodated without adversely affecting neighbouring properties;

Prepared by:


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

c. James R. Denham, PBS (email only)



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: June 18, 2020
Hearing Date: June 24, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
13A-D Valley Road, A-55-58/20SC
8 Glenholme Drive, A-59/20SC
68 Highland Avenue, A-60/20SC
64 Currie Street, A-61/20SC
82 Huntington Lane, A-62/20SC

Development Engineering have reviewed the above applications and have no objections to the requested variances.

Trusting this information is satisfactory.

Regards,

Prepared by:

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

- c. Judy Pihach, PBS (email only)
Will Banda, PBS (email only)
James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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

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-59/20 (60.81.5649)

8 Glenholme Drive

DATE OF HEARING:
June 24, 2020

Munro, Elaine

Subject: RE: Minor variance request by Donna and Mark Hall

From: Terry Brown <>

Sent: Tuesday, June 16, 2020 12:24 PM

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

Subject: Minor variance request by Donna and Mark Hall

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.

To: Elaine Munro, Secretary – Treasurer
Committee of Adjustment City Hall St. Catharines
Tuesday June 16, 2020

Subject: Minor variance request by Donna and Mark Hall, File No. 60.81.5649, Submission No. A-59/20

I am writing this letter to show that I am strongly opposed to the request for the minor variance to the property of Donna and Mark Hall. There are a couple of points that I would like to touch upon that would support my reluctance to this request.

First is that a variance was requested and granted when the Hall's decided that they were going to build a carport on their house. This all was done with the proper permits and work that was done for this job. The concern with this current request is the incorrect plans that were submitted to the city and the neighbours that this might affect. For instance, the plans show that a request for a variance for two sheds, a hot tub, two gazebos and a BBQ hut for a PROPOSED pool and deck. The reason the plans are incorrect is that the pool and deck were erected before any request for variance was submitted.

With information that I received from the city building department a permit was never issued to the said applicants for the work that was done. Also, I was informed that a permit is NOT granted until a request for a variance is investigated and granted. It has since been learned that a permit was granted to have work done before the variance was heard. Stated in a website online from the city it reads ("It is the responsibility of the homeowner to ensure a permit is obtained prior to any construction to these structures.") I am afraid that someone somewhere is circumventing the rules for this project and it could have serious precedent setting ramifications for residents in this city in the future.

The second issue is the height of the PROPOSED/ ALREADY BUILT deck. The issue at hand is the deck appears to be at a height that is beyond recommended guidelines and is having an adverse effect to the privacy of my property and to surrounding properties.

Hopefully these concerns will be taken into consideration and addressed appropriately before a variance request is granted.

Thank You, Terry Brown

4 Glenholme Drive
St.Catharines On. L2N 2Z3
Phone#

File No. 60.81.5649

Submission No. A-59/20

I would like to advise that I am opposed to the minor variance(s) and "proposed pool and deck" request for 8 Glenholme Drive.

At this time, I would like to advise that the "proposed pool and deck" are in fact currently complete, operational and in use. The drawings as submitted are misleading to the City, Committee of Adjustment and residence in the area. On January 13, 2020, a concern was registered with city staff regarding the construction of the deck and pool. At this time city staff advised that permits were not requested/issued for construction of the pool or the elevated deck for 8 Glenholme drive. The owners should have had acquired permits prior to construction starting and all variances should have been address prior to construction. On April 2, 2020 Kadim Khan (Chief Building Official, Senior Manager of Buildings & Development) advised the permits were issued and were under review. Construction should have been halted until the variances were dealt with. The owners of 8 Glenholme Drive were granted a variance once before for the construction of a carport. Due to their experience with the carport they should be aware of the requirements of Building by-laws, applying for permits and supplying accurate construction drawings.

My key concern is the elevated deck as it invades the privacy of my family and residence in the area. The deck that has been constructed and is in use allows the residence an elevated view to other properties in the area. We have a right to have our privacy. I have taken measures to ensure our privacy. I have covered the fence line with tarps and lattice, so not to have the ability to peer through the fence, planted trees and shrubs to block views. The construction of the elevated deck negates everything I have done for privacy. There is a 6-foot fence between the properties which means nothing now. Once the residences are on the deck, they are 3-4 feet higher than the fence line. Allowing the variance without conditions in place would have a detrimental and adverse affect on my property and the privacy of my family and neighbours.

The variances for the "proposed Pool and Deck" are not minor. They pose serious and adverse effects and ramifications for my residence and my comfort therein.

I do want the owners of 8 Glenholme Drive to enjoy their property and amenities. However, their enjoyment should not be allowed at the expense of their neighbours. I would like to suggest to the committee that the owners of 8 Glenholme Drive be directed to install a permanent and fixed privacy fence along on the elevated deck side (including stairs) closest to 6 Glenholme Drive (at their sole expense). The height proposed is 6 feet above the deck board of the elevated deck. There is currently a 6-foot fence between the properties. The estimated height of the existing elevated deck, at elevated deck level is 4 feet.

Should the committee find another solution to my concern, I would gladly welcome it.

I would like to thank the committee members for their time and attention to this matter.

Charlie Chiarelli

6 Glenholme Drive,

St. Catharines, Ontario, L2N 2Z3



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 19, 2020

Date of Meeting: June 24, 2020

Report Number: A-59/20

File: 60.81.5649

Subject: 8 Glenholme Drive

Recommendation

That Application **A-59/20** by Donna Hall and Mark Hall, as outlined in the Notice of Hearing, be approved.

Report

Background

The Applicant wishes to obtain a permit for a pool and deck that have been constructed in the rear yard of 8 Glenholme Drive. In review of the pool permit application, which has not yet been issued, it was determined that a number of variances would be required to permit the pool as constructed, as there are a number of existing accessory structures on the property which, combined with the new pool, will put the property out of compliance with the maximum lot coverage for accessory structures prescribed by the Zoning By-law. Additionally, several of the existing structures are located closer to the property lines than the By-law permits.

The Proposal

Application A-59/20 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following:

Variance #	Zoning Provision	Required	Proposed
1	Maximum Lot Coverage for Accessory Structures (Total of Above-ground Pool, Pool Deck, Two Sheds, Two Gazebos, Hot Tub, and Barbecue Hut)	10%	17.21%
2	Minimum Interior Side Yard Setback (Easterly) to an Accessory Structure (Gazebo #1)	0.6 metres	0.18 metres
3	Minimum Interior Side Yard Setback (Easterly) to an Accessory Structure (Gazebo #2)	0.6 metres	0.3 metres

4	Minimum Interior Side Yard Setback (Westerly) to an Accessory Structure (Shed #1)	0.6 metres	0.04 metres
5	Minimum Rear Yard Setback to an Accessory Structure (Shed #2)	0.6 metres	0.25 metres

Location and Site Description

The subject property is located on the north side of Glenholme Drive, west of Geneva Street. The property is surrounded by detached dwellings to the east, west, and south. The property backs onto the large school yard of St. James Catholic Elementary School to the north. The subject property is currently occupied by a detached dwelling.

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. Detached dwellings are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are permitted in this zone. Accessory structures are permitted on the same lot as the principle dwelling unit, however the accessory structures can cover no more than 10% of the lot. Accessory structures are defined as a detached building, structure or pool that is secondary to the principle use on the same lot.

The deck of the proposed pool is considered an accessory structure for the purposes of calculating lot coverage. For the purpose of applying setbacks, the deck must comply with the setback requirements for platform structures, which are greater than those required for accessory structures. The proposed deck contributes to the requested increase in lot coverage, but meets all required setbacks for a platform structure.

Planning Analysis

The Applicant has requested five variances related to existing accessory structures currently located on their property. The first variance is for an increase in the maximum lot coverage for accessory structures from 10% to 17.12%. The other four variances are requested to reduce the required setbacks of four existing accessory structures located along the perimeter of the rear yard.

Variance 1

The requested increase in lot coverage for accessory structures from 10% to 17.12% is considered to be minor in nature. In part, the intent of limiting the lot coverage of accessory structures is to avoid drainage issues, and to ensure that adequate amenity space is maintained, and that the use of any accessory structure(s) remains secondary in size and use to the principle dwelling on the lot.

No drainage issues have been identified by the City Engineer as a result of the lot coverage. There is adequate amenity space maintained to the west of the pool and pool deck, and sufficient space surrounding the pool to allow adequate access throughout the yard. None of the individual accessory structures is greater than 10% of the lot coverage on its own, including the pool and deck area. None of the accessory structures, alone or combined, contributes to a use of the property that is considered not to be secondary or accessory to the dwelling. All of the structures, including the pool and deck for which a permit is sought, meet the height and setback provisions of the Zoning By-law, except in those four cases discussed below for existing sheds and gazebos. With regards to the lot coverage, the intent of the Official Plan and Zoning By-law is upheld.

The proposed lot coverage is made up of several smaller, subordinate structures that contribute to the use of the property rather than detract from it. The variance is considered appropriate for the desirable use of the land. Staff support the approval of Variance 1.

Variances 2 to 5

The requested setbacks range from 0.04 to 0.3 metres, and apply to two existing sheds, and two existing gazebos. Each reduction is considered to be minor in nature, as there are no anticipated negative impacts from permitting the existing setbacks to the gazebos and sheds to remain as they exist today.

The reduced setbacks do not create any privacy issues as the fenced yard provides visual mitigation of the accessory structures. The City Engineer has not identified any concerns with respect to the impact of the reduced setbacks on drainage or runoff. There are no anticipated impacts on neighbouring properties, nor on the surrounding area. Overall, Variances 2 thru 5 are keeping with the intent and purpose of the Official Plan and Zoning By-law.

The setbacks represent an existing situation. The majority of the accessory structures on this property are small enough that they do not require a building permit, and so they have been constructed outside of a review process by the City. In their current locations, the structures allow for a suitably sized amenity space. Given that the layout of structures does not encumber the use of amenity space in the sizeable yard, and does not negatively impact neighbouring properties, the reductions in setbacks are considered to be desirable for the appropriate use of the land. Staff are supportive of Variances 2 thru 5.

Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-59/20** 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.

Prepared and Submitted by:

A handwritten signature in blue ink, appearing to read 'Charlotte McEwan', with a long horizontal flourish extending to the right.

Charlotte McEwan
Planner I

Approved by:

A handwritten signature in blue ink, appearing to read 'Amanda Knutson', with a stylized, cursive script.

Amanda Knutson
Senior Development Planner
(Planner II)

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 2

13 Valley 0 A-56/20 to A-58/20,
8 Glenholme

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, June 1, 2020 12:05 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 June 24/20 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.

Email 2

Email 1
Cogeco has no issue 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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 24, 2020 hearing

NO.	ADDRESS	COMMENTS
A-55/20	13A Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-56/20	13B Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-57/20	13C Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-58/20	13D Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-59/20	8 Glenholme Drive	No Comment

NO.	ADDRESS	COMMENTS
A-60/20	68 Highland Avenue	Be advised that a building permit is required for the proposed Second Storey Addition and Rear Covered Porch. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-61/20	64 Currie Street	No Comment
A-62/20	82 Huntington Lane	Be advised that a building permit is required for the proposed One Storey Addition. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.



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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

- 1.13 Valley Road, Consent B-25/20SC – 60.84.**
- 13 Valley Road, Consent B-26/20SC – 60.84.2303**
- 13 Valley Road, Consent B-27/20SC – 60.84.2304**
- 13A Valley Road, Minor Variance, A-55/20 – 60.81.5645**
- 13B Valley Road, Minor Variance, A-56/20 – 60.81.5646**
- 13C Valley Road, Minor Variance, A-57/20 – 60.81.5647**
- 13D Valley Road, Minor Variance, A-58/20 – 60.81.5648**

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: June 18, 2020
Hearing Date: June 24, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
13A-D Valley Road, A-55-58/20SC
8 Glenholme Drive, A-59/20SC
68 Highland Avenue, A-60/20SC
64 Currie Street, A-61/20SC
82 Huntington Lane, A-62/20SC

Development Engineering have reviewed the above applications and have no objections to the requested variances.

Trusting this information is satisfactory.

Regards,

Prepared by:

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

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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

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-60/20 (60.81.5650)

68 Highland Avenue

DATE OF HEARING:
June 24, 2020



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 16, 2020

Date of Meeting: June 24, 2020

Report Number: A-60/20

File: 60.81.5650

Subject: 68 Highland Avenue

Recommendation

That Application **A-60/20** by Richard Voelkner, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That no new windows be placed on the second storey of the northern façade of the dwelling.
2. That the variances only apply to the northern interior side yard setback.

Report

The Proposal

The Applicant proposes to construct a second storey atop an existing one-storey detached dwelling. The Applicant is also proposing to add a covered deck to the ground floor at the rear of the dwelling. The dwelling has an existing deficient interior side yard setback along the northern lot line. The following variances are required to permit the second storey addition and rear covered deck.

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Interior Side Yard	1.2m	0.65m
2.	Minimum Setback from Interior Side Lot Line for a Platform Structure	1.2m	0.65m

Location and Site Description

The subject property is located on the west side of Highland Avenue between Scarth Road and Pinehill Road. The neighbourhood is primarily residential. Dwellings immediately adjacent to the subject property are single storey, however, there is a mix of one- and two-storey dwellings in the neighbourhood.

The subject property is presently occupied by a one-storey detached dwelling.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E8. Detached dwellings are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Detached dwellings are permitted in this zone.

Planning Analysis

The Applicant has requested a reduction in the minimum interior side yard setback from 1.2 metres to 0.65 metres to facilitate the addition of a second-storey and covered platform structure to the existing dwelling, which currently sits 0.65 metres from the north lot line. Approval of the variance would permit a second storey addition and covered platform structure to be constructed in line with the existing first-storey setback, rather than being stepped back an additional 0.55 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 proposed second storey rear-facing window closest to the northerly lot line will be about 0.76 metres from the northwest corner of the dwelling and about 1.37 metres from the northerly lot line. Therefore, staff find that the potential impact of overlook from 68 Highland Avenue into the rear yard of 66 Highland Avenue is no greater than if the second storey addition was built at the required 1.2 metre setback. No windows are proposed on the north façade. That said, staff recommend a condition that no windows be built on the second storey of the northern façade of the dwelling.

Similarly, the proposed covered platform structure at the rear of the dwelling has been designed to have a solid privacy wall facing the northerly lot line. This solid wall will mitigate impacts of light, noise and loss of privacy resulting from building the covered platform structure 0.65 metres from the northerly lot line. The reduced setback for the second storey and covered platform structure is considered desirable for the appropriate use of the subject lands.

The intent of the 1.2 metre minimum side yard 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 0.65 metre setback is already established on

the subject property for a single storey building. The proposed second storey addition and covered platform structure 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.

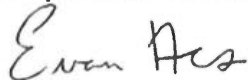
Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for context sensitive design to ensure the integration of compatible building form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. Adverse impacts on adjacent properties 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. As discussed above, the reduced setback for the second storey is not expected to negatively impact the neighbouring property to the north. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff are of the opinion that Application A-60/20 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. As such, staff recommend approval of Application A-60/20, subject to the conditions outlined in the recommendation.

Conclusion

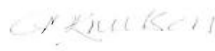
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-60/20** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Senior Development Planner
(Planner II)

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 3

68 Highland
2 North
64 Currie

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, June 1, 2020 12:07 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 June 24/20 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.

Email 3
Cogeco has no issue 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: Judy Pihach, Wilrik Banda
Planning and Building Services


From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

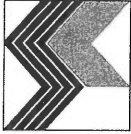
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 24, 2020 hearing

NO.	ADDRESS	COMMENTS
A-55/20	13A Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-56/20	13B Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-57/20	13C Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-58/20	13D Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-59/20	8 Glenholme Drive	No Comment

NO.	ADDRESS	COMMENTS
A-60/20	68 Highland Avenue	Be advised that a building permit is required for the proposed Second Storey Addition and Rear Covered Porch. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-61/20	64 Currie Street	No Comment
A-62/20	82 Huntington Lane	Be advised that a building permit is required for the proposed One Storey Addition. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.



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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

- 1.13 Valley Road, Consent B-25/20SC – 60.84.**
- 13 Valley Road, Consent B-26/20SC – 60.84.2303**
- 13 Valley Road, Consent B-27/20SC – 60.84.2304**
- 13A Valley Road, Minor Variance, A-55/20 – 60.81.5645**
- 13B Valley Road, Minor Variance, A-56/20 – 60.81.5646**
- 13C Valley Road, Minor Variance, A-57/20 – 60.81.5647**
- 13D Valley Road, Minor Variance, A-58/20 – 60.81.5648**

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: June 18, 2020
Hearing Date: June 24, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
13A-D Valley Road, A-55-58/20SC
8 Glenholme Drive, A-59/20SC
68 Highland Avenue, A-60/20SC
64 Currie Street, A-61/20SC
82 Huntington Lane, A-62/20SC

Development Engineering have reviewed the above applications and have no objections to the requested variances.

Trusting this information is satisfactory.

Regards,

Prepared by:

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

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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



St. Catharines

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

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

COMMENTS

B-28/20SC (60.84.2305)

2 North Street

DATE OF HEARING:
June 24, 2020



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 22, 2020

Date of Meeting: June 24, 2020

Report Number: B-28/20SC

File: 60.84.2305

Subject: 2 North Street

Recommendation

That Application B-28/20SC by 2696211 Ontario Inc, as outlined in the Notice of Hearing, be approved, subject to the following conditions:

- 1 A draft reference plan be submitted, reviewed and approved by the City, prior to final registration, identifying a road widening of 3.04 metres along North Street and 3.95 metres along Court Street, as generally outlined on the site plan submitted with the application and attached to and forming part of the Committee's decision.
- 2 And that the road widenings along North Street and Court Street be dedicated to the City free and clear of any encumbrances.
- 3 And that a 1.5 metre wide sidewalk be constructed along the south side of North Street in accordance with City standards, or alternatively, a cash deposit be submitted to the satisfaction of the City for the purposes of future sidewalk construction.
- 4 And that a Storm Water Management report be prepared by a qualified Professional Engineer for submission, review and approval by the City demonstrating the site's storm water flows to the Court street storm sewer, after the construction of the parking lot, meet the 0.50 runoff coefficient for the 5-year storm event

Report

The Proposal

The applicant proposes an easement over 2 North Street in favour of 111 Church Street, the abutting lot, for the purposes of acknowledging an existing storm sewer within Part 1 on the sketch submitted with the application, and for vehicular and pedestrian access rights over Parts 1 and 2 in favour of 111 Church Street.

Location and Site Description

The subject lands are currently used as parking and a staging area for construction on the abutting lot 111 Church Street. The historical use of the subject lands has been for a stand alone parking lot. The subject lands are bounded by North Street on the north and

Court Street on the east. Midtown Plaza is located to the north of the site, residential uses to the east, mixed commercial and residential uses to the south and residential uses (apartment building under construction) on the west.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The lands are designated within the Downtown land use designation on Schedule D1 and Mixed Medium High Density Residential/Commercial designation on Schedule E10. Parking lots are a typical accessory use to the wide range of uses permitted in this downtown neighbourhood. The application conforms to the Official Plan and no amendment is required.

Zoning By-law (2013-283)

The lands are Medium/High Density Mixed Use M2 which permits a variety of commercial and residential uses. The M2 zone does not permit a free standing parking lot, the former and continuing use of the subject lands. However, the parking use of these lands legally existed on the site prior to the approval of the current zoning by-law and accordingly is a legal non-conforming use. No amendment to the zoning by-law is required.

Planning Analysis

The purpose of this proposed easement is to firstly, acknowledge the existing storm sewer within Part 1 that services 111 Church Street, the apartment currently under construction on the abutting lot, and secondly, provide for rights of vehicular and pedestrian access over Part 1 & 2 in favour of the residential uses on 111 Church Street. The subject lands have been used as a free standing parking lot for decades. It is currently being upgraded with paving, curbing, improved drainage and similar site improvements as identified in the site plan submitted with this application. The parking use is not expanding beyond its limits as a legal non-conforming use, but simply being upgraded to service abutting residential uses.

Regarding the easement to recognize the existing storm sewer within Part 1, staff have no concerns with this approval. City staff have reviewed and approved the storm sewer as it relates to 111 Church and support the establishment of an easement registered on title to ensure future owners are aware of the storm sewer encroachment on the subject lands and to permit future maintenance.

The easement for the purposes of vehicular and pedestrian access for 111 Church triggers a number of conditions:

Storm Water Management

The proposed upgrades to the former gravel parking area are a welcome improvement to site. With the paving of the parking area comes the construction of a new catch basin and storm lateral to connect to the City's storm sewer at the corner of North and Court Street, as proposed in the site plan submitted with the application. Staff require a storm water management plan/report to be submitted, reviewed and approved, to be confident the parking area is adequately drained and capacity is available within the City's storm sewer system. A condition to this end is included in the recommendation.

Road Widenings

The easement request proposes legal access to the parking lot for residents and vehicles of the abutting apartment building at 111 Church Street. The subject lands were not part of the site plan approval for the development at 111 Church Street because it was on a separate abutting lot, and technically site plan approval not required. Notwithstanding, the two sites essentially function together. The upgraded parking lot, although not on the same lot as the apartment building at 111 Church, provides parking "as though it were on the same lot".

Staff are of the opinion that road widenings along North Street and Court Street be conditions to the approval of the easement over Parts 1 and 2, as identified on the site plan submitted with the application. The easement requests the parking lot service residents of 111 Church Street. The applicant has included these widenings on the site plan submitted with the application (3.5 m along North Street and 3.90 metres along Court Street). These streets are currently undersized and the policies of the Official Plan allow for road widenings to be taken, as a condition of a planning approvals, up to the target width established by the Official Plan. A condition requiring a road widening of 3.04 metres along the northerly property line (south side of North Street) and a 3.95 metre road widening along the easterly lot line (west side of Court Street) is included in the recommendation.

Sidewalk Construction/Cash Deposit

Given the easement request for pedestrian access over Parts 1 and 2 in favour of 111 Church Street, staff recommend a sidewalk be provided along the south side of North Street. This sidewalk provides a missing link to facilitate pedestrian movement between the lands at 111 Church and 2 North Street, out to Court Street. Should the applicant choose to provide a cash deposit, as an alternative to constructing the sidewalk in conjunction with works taking place on 111 Church, that alternative is provided in the wording of the condition.

Policies in the Official Plan direct the importance of walkability of neighbourhoods. The easement request for pedestrian access to the parking area at 2 North Street suggests a sidewalk pedestrian link along the south side of North Street is in order.

Conclusion

Staff are supportive of the easement request subject to conditions outlined in the recommendation. The easement over Part 1 acknowledges an existing storm sewer condition necessary to the ongoing function of the apartment building at 111 Church.

The easement for vehicular and pedestrian rights over Parts 1 and 2 provides long term legal access for residents of the apartment building at 111 Church. Conditions are requested to ensure the long term functionality of the parking lot and the abutting public streets being North Street and Court Street.

Approval of the easement, with conditions, conforms to the policies of the Official Plan. The legal nonconforming status of the parking lot will continue, without an expansion of the limits of that use. The improvements to the parking lot (grading, drainage, curbing etc.) are improvements that contribute to the upgrading of the neighbourhood and provide parking over the long term for residents of 111 Church Street.

Prepared, Submitted, and Approved by:

A handwritten signature in blue ink, reading "Judy Pihach". The signature is fluid and cursive, with the first name "Judy" and last name "Pihach" clearly distinguishable.

Judy Pihach MCIP, RPP
Manager of Planning Services

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 3

68 Highland
2 North
64 Currie

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, June 1, 2020 12:07 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 June 24/20 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.

Email 3
Cogeco has no issue 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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – June 24, 2020 hearing

B-25/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-26/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-27/20SC – 13 Valley Road

Comment:

- No Comment

Condition:

- No Comment

B-28/20SC – 2 North Street

Comment:

- No Comment

Condition:

- No Comment

B-29/20SC – 49A Thomas Street

Comment:

- No Comment

Condition:

- No Comment

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

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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

1.13 Valley Road, Consent B-25/20SC – 60.84.

13 Valley Road, Consent B-26/20SC – 60.84.2303

13 Valley Road, Consent B-27/20SC – 60.84.2304

13A Valley Road, Minor Variance, A-55/20 – 60.81.5645

13B Valley Road, Minor Variance, A-56/20 – 60.81.5646

13C Valley Road, Minor Variance, A-57/20 – 60.81.5647

13D Valley Road, Minor Variance, A-58/20 – 60.81.5648

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

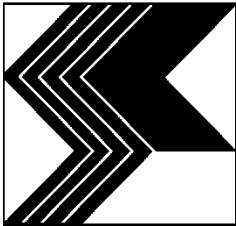
If Planning and Building Services determines that parkland dedication can be collected for this application, CRCS requests the following condition of severance:

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-28/20SC



Revised June 22, 2020

ENGINEERING FILE 300-36

Hearing Date: June 24th, 2020
Applicant: 2696211 Ontario Inc.
Location: 2 North Street

<u>MUNICIPAL SERVICES</u>	North Street	Court Street
Water:	150mm (6") A.C.	150mm (6") P.V.C.
Sanitary Sewer:	300mm (12") P.V.C.	250mm (10")
Storm Sewer:	None	200mm Catch Basin Lead North / Court Intersection
Sidewalks:	None	Yes (curb-faced)
Road Allowance Width:	12.2m± (40')	12.2m± (40')

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

Comment(s): It is noted that the Applicant proposes to establish an easement for access to the storm sewer and manhole in perpetuity over Part 1 to benefit 111 Church Street and to establish an easement for ingress and egress of vehicles and pedestrians in perpetuity over Parts 1 and 2 to benefit 111 Church Street. Remnant parcels (Parts 1&2) would be retained for the continued use of the lands as a parking lot.

Roads

North Street is designated a Local road in the City’s Official Plan with a desired right-of-way width of 20.12m. Its current width along the frontage of the subject lands is deficient, therefore, a widening similar to that obtained through the 111 Church Street frontage along North Street with the development application Site Plan Agreement, of 3.04m (10') shall be required to be dedicated as Public Highway North Street.

Court Street is also designated a Local road in the City’s Official Plan with a desired right-of-way width of 20.10m. It’s current width along the property frontage is also deficient at 12.2m±, therefore a widening of 3.95m (13.02') similar in width in accordance with Reference Plan 30R-4904 shall be required to be dedicated as Public Highway Court Street.

Sidewalks

Sidewalks do not exist along this section of North Street. As per the Garden City Plan, Council has directed we achieve “Complete Streets and Walkable Communities” to which, in addition to accommodating vehicles, provide “safe, functional and attractive pedestrian and cycling environments”. Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to today’s standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (bell, hydro, Gas, CCTV etc.).

Given the City would like to remain consistent with past requirements to bring roads up to standards to accommodate future City utilities (storm sewer, upgraded watermain and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bike lanes and meeting the Garden City Plan initiatives driven by Council, it is normally required that the Owner make a cash contribution for the construction of future sidewalks along the frontage of the subject lands. Understanding that North Street is not currently on a priority sidewalk list for construction in the near future, given the recent development of 111 Church Street as an intensified residential development with a cash-in-lieu payment for a future sidewalk along that North Street frontage, and further requirements to access Court Street safely by pedestrians, the City will requests a further cash-in-lieu payment towards a 1.50m wide concrete sidewalk along the North Street frontage of the subject property, or the Owner construct a 1.50m wide concrete sidewalk to the City's satisfaction at their costs concurrently with the site's proposed improved parking lot improvements.

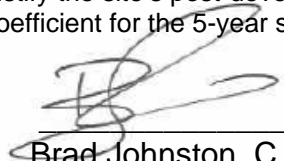
Engineering Services

Increased drainage challenges occur in these types of lot developments, where established areas sometimes do not have suitable drainage outlets in place. Lot drainage plans are generally a requirement for review and approval at the building permit stage and are submitted at that time to ensure that the drainage schemes of proposed developments convey drainage flows to a suitable outlet and do not adversely affect abutting properties of the City right-of-way. Given the site is to be redeveloped as an improvement to the existing parking lot use, standard duty asphalt is proposed, which would conclude that drainage flows may increase as a result of increased impervious area towards the City's North Street and Court Street rights-of-way. The City shall request a Stormwater Management Report be prepared and provided by a Professional Engineer which would justify the site's proposed flows being controlled to the designed 0.50 rate of runoff for the 5-year storm event to the Court Street storm sewer, given a proposed private catch basin connection is sought for site. This tie-in shall only be authorized upon the application of a Plumbing Only permit and approval of the above noted Stormwater Management Report and additional securities submitted, prior to the Plumbing Only permit being issued. The Owner shall pay the City the fees to provide a new storm lateral connection within the road allowance to the new property line through the above Plumbing Only permit application, and applicable restoration and inspection securities.

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

- Provide the City a draft reference plan indicating the proposed widenings along North Street and Court Street 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 frontages of the subject property, as public highway to be known as North Street and Court Street; and
- Submit to the city the cash-in-lieu payment of a 1.50m wide concrete sidewalk along the North Street frontage of the subject lands, or provide written confirmation that the Owner shall construct a 1.50m wide concrete sidewalk along the frontage of North Street to the City's satisfaction concurrently with the improvements proposed for the existing parking lot; and
- Submit a Stormwater Management Report prepared by a Professional Engineer to justify the site's post-development flows being controlled to the designed 0.50 runoff coefficient for the 5-year storm event, to the Court Street storm sewer

Prepared by:


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

c. James R. Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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

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-61/20 (60.81.5651)

64 Currie Street

DATE OF HEARING:
June 24, 2020

Munro, Elaine

Subject:

RE: Application A-61/20

From: Walter Gore <>

Sent: Wednesday, June 17, 2020 12:12 PM

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

Subject: Application A-61/20

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

Dear Committee of Adjustment,

I am writing in regards to the hearing of a minor variance for 64 Currie St, Lot 29, plan 133, and the request for a 'minor' variance. The council has already granted a variance on this property allowing it to be built when there was not enough clearance on either side. Parking is already a problem on Currie Street. Allowing this residence to have no parking will just increase this issue, making it more difficult for your current tax payers to live in this area. Allowing a variance to reduce the parking space to zero at this residence, will further increase the congestion on this street and reduce the safety of ALL residents who live there. As a resident of Currie Street, I strongly oppose the variance to 64 Currie Street.

I don't understand why the variance is being requested when the said property was built with an attached garage and driveway that is completely finished now, allowing for at least the parking of one vehicle.

Thank You, Walter Gore

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Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 16, 2020

Date of Meeting: June 24, 2020

Report Number: A-61/20

File: 60.81.5651

Subject: 64 Currie Street

Recommendation

That Application **A-61/20** by 2494551 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Report Background

Application **A-61/20** follows Application **A-132/18**, which sought a reduction in lot area, rear yard setback, front yard setback and interior side yard setback. Three variances were approved; the reduction in interior side yard setback was not approved. As a result, the attached garage is too narrow to be recognized as a parking space under the Zoning By-Law, and there is now insufficient room for two regulation sized parking spaces on the property. This property was created through Application **B-80/18SC**, which severed 64 Currie Street from 66 Currie Street.

The Proposal

The Applicant has applied for a building permit to establish an interior accessory dwelling unit within the existing detached dwelling, but lacks the required parking space to do so. The existing detached dwelling has only one appropriately-sized parking space, located in the front driveway. The parking space in the attached garage is only 3.1 metres in width, whereas it should be 3.5 metres in width pursuant to the Zoning By-law. A detached dwelling requires one parking space and an interior accessory dwelling unit requires an additional parking space. Therefore, the requested variance is required in order to permit the establishment of an interior accessory dwelling unit.

Only interior alterations to the existing dwelling are proposed in this Application. No new exterior development will result from approval of this Application.

Location and Site Description

The subject property is located on the east side of Currie Street between Lailey Street and Facer Street. The neighbourhood is primarily residential, with some commercial and institutional uses fronting onto Facer Street.

The subject property is presently occupied by a detached dwelling.

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. The existing detached dwelling and proposed accessory dwelling unit are permitted.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Detached dwellings with interior accessory dwelling units are permitted in this zone.

Planning Analysis

The Applicant has requested a reduction in the required parking for an interior accessory dwelling unit from one space to zero. Approval of the variance would permit an interior accessory dwelling unit to be established at this property. The reduction is considered minor in nature.

The proposed parking reduction would permit an additional dwelling unit to be added to the property, aligning with the intensification policies of the Official Plan. The dwelling will maintain the appearance of a detached dwelling and will generally be in keeping with the character of the surrounding neighbourhood. The reduced parking requirement is considered desirable for the appropriate use of the subject lands.

The intent of the parking requirement for an interior accessory dwelling unit is to ensure that sufficient on-site parking is required for all dwelling units on one lot. The Applicant is able to provide one additional parking space in the attached garage in tandem with the parking space in the driveway. While the width of the garage is deficient in terms of the parking space size requirements of the Zoning By-law, the deficiency is negligible at 0.4 metres; the garage is still capable of being used for parking. Staff consider the intent of the Zoning By-law to be upheld.

Section 5.4 of the GCP lists five criteria that must be met when considering reducing parking:

- i) *shared parking is possible;*

As demonstrated above, it is possible for two cars to park in tandem on the subject property, even though one parking stall does not meet the size requirements prescribed by the zoning by-law. There are also several

commercial and institutional uses on Facer Street where parking may be available in off-peak times through private arrangement.

- ii) *transit is readily available or where transit facilities are provided;*

The subject property is just over 200 metres from a bus stop on Facer Street and just over 400 metres from a bus stop at the corner of Niagara Street and Carlton Street. Additional bus routes are available at the corner of Vine Street and Carlton Street, as well as Facer Street and Grantham Avenue. All told, the subject property is within walking distance of transit stops served by five different bus routes.

- iii) *bicycle parking and facilities, or community facilities, are provided;*

As a private residence, bicycle parking will be available for both the main dwelling unit and the accessory dwelling unit.

- iv) *land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;*

As a detached dwelling, this criterion does not apply.

- v) *land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.*

As a detached dwelling, this criterion is not necessarily applicable. That said, it is noted that the subject property does exceed its landscaped open space requirement.

It is staff's opinion that the proposal is in keeping with the spirit and intent of the Official Plan.

Staff notes that there is on-street parking available in the neighbourhood, although only on one side of Currie Street. Parking on other side streets in the area, as well as on Facer Street, is similarly limited to one-side only. That said, many dwellings in the area have deep driveways capable of accommodating two or more cars in tandem. Staff could not find a residential property in the immediate area around the subject property that could not accommodate at least one car in a driveway. The City's transportation staff could not find records of parking complaints along Currie Street, leading staff to believe that on-street parking is not a concern for residents. Further, with the availability of bus routes, as well as shops, services and community facilities within walking distance, it is possible to live at the subject property without owning a car.

Staff are of the opinion that Application **A-61/20** 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. As such, staff recommend approval of Application **A-61/20**.

Conclusion

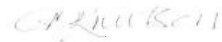
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-61/20** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application, accordingly.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Senior Development Planner
(Planner II)

Munro, Elaine

Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 3

68 Highland
2 North
64 Currie

From: Doug Crown <doug.crown@cogeco.com>
Sent: Monday, June 1, 2020 12:07 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 June 24/20 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.

Email 3
Cogeco has no issue 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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

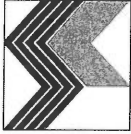
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 24, 2020 hearing

NO.	ADDRESS	COMMENTS
A-55/20	13A Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-56/20	13B Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-57/20	13C Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-58/20	13D Valley Road	Be advised that a building permit is required for the proposed Semi-Detached Dwelling. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-59/20	8 Glenholme Drive	No Comment

NO.	ADDRESS	COMMENTS
A-60/20	68 Highland Avenue	Be advised that a building permit is required for the proposed Second Storey Addition and Rear Covered Porch. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.
A-61/20	64 Currie Street	No Comment
A-62/20	82 Huntington Lane	Be advised that a building permit is required for the proposed One Storey Addition. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.



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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

- 1.13 Valley Road, Consent B-25/20SC – 60.84.**
- 13 Valley Road, Consent B-26/20SC – 60.84.2303**
- 13 Valley Road, Consent B-27/20SC – 60.84.2304**
- 13A Valley Road, Minor Variance, A-55/20 – 60.81.5645**
- 13B Valley Road, Minor Variance, A-56/20 – 60.81.5646**
- 13C Valley Road, Minor Variance, A-57/20 – 60.81.5647**
- 13D Valley Road, Minor Variance, A-58/20 – 60.81.5648**

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends 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 grading and drainage plan demonstrating the retention of trees along the north lot line of Part 1 and the East lot line of Parts 2, 3 and 4.

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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: June 18, 2020
Hearing Date: June 24, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
13A-D Valley Road, A-55-58/20SC
8 Glenholme Drive, A-59/20SC
68 Highland Avenue, A-60/20SC
64 Currie Street, A-61/20SC
82 Huntington Lane, A-62/20SC

Development Engineering have reviewed the above applications and have no objections to the requested variances.

Trusting this information is satisfactory.

Regards,

Prepared by:

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

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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

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-62/20 (60.81.5652)

82 Huntington Lane

DATE OF HEARING:
June 24, 2020



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: June 16, 2020

Date of Meeting: June 24, 2020

Report Number: A-62/20

File: 60.81.5652

Subject: 82 Huntington Lane

Recommendation

That Application **A-62/20** by Laurie Pirritano and Sam Pirritano, as outlined in the Notice of Hearing, be approved be approved subject to the following conditions:

1. That no new windows be placed on the western façade of the dwelling, as extended.

Report Background

Application **A-62/20** follows Application **A-89/91**, which was made to recognize the westerly interior side yard setback of 0.71 metres shortly after construction of the dwelling. Since the westerly side yard setback has been deficient since construction, any additions on the west side of the dwelling will require further variances. The current Application considers the extension of the dwelling along the westerly lot line.

The Proposal

The Applicant proposes to construct a single storey addition to the rear of an existing two-storey detached dwelling. The dwelling has an existing deficient interior side yard setback along the westerly lot line. The following variance must be granted to permit the one-storey addition.

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Interior Side Yard	1.2m	0.71m

Location and Site Description

The subject property is located on the north side of Huntington Lane between Sarah Court and Stoney Brook Crescent. The neighbourhood is primarily residential.

The subject property is presently occupied by a detached dwelling, aboveground pool and accessory building.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6 thereof. Detached dwellings are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are permitted in this zone.

Planning Analysis

The Applicant has requested a reduction in the minimum westerly interior side yard setback from 1.2 metres to 0.71 metres to facilitate a one-storey addition to the existing dwelling which currently sits 0.71 metres from the westerly lot line. Approval of the variance would permit the addition to be constructed in-line with the existing side yard setback, rather than being stepped back an additional 0.49 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 existing dwelling the building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. The proposed addition immediately abuts outdoor amenity space at 84 Huntington Lane. There is an existing privacy fence on the property line. Therefore, a one-storey addition should not cause any additional impacts on the neighbouring property. That said, staff recommend a condition that no new windows be built on the western façade of the dwelling. The reduced setback for the addition is considered desirable for the appropriate use of the subject lands.

The intent of the 1.2 metre minimum side yard 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 0.71 metre setback is in line with the existing deficient setback on the subject property for a two-storey dwelling. It is anticipated that the proposed addition will not greatly impact 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 it 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

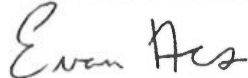
form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. Adverse impacts on adjacent properties are to be minimized in regard to transition in height and privacy. The proposed addition is being built at an existing side yard setback deficiency. It is only one storey in height and should not cause any additional impacts on the privacy of the neighbouring property. The proposal is in keeping with the intent of the Official Plan.

Staff are of the opinion that Application A-62/20 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. As such, staff recommend approval of Application A-62/20, subject to the condition outlined in the recommendation.

Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-62/20** 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, subject to the condition outlined in the recommendation.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Senior Development Planner
(Planner II)

Munro, Elaine

Subject:

RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the June 24/20 CofA Hearing - Email 4 - Last Email

49A Thomas
82 Huntington

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

Sent: Monday, June 1, 2020 12:12 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 June 24/20 CofA Hearing - Email 4 - Last Email

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

Email 4

Cogeco has no issue or concerns with these applications

Have a wonderful day

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: Judy Pihach, Wilrik Banda
Planning and Building Services

From: Steven Sunderland, Building Inspector
Planning and Building Services

Date: June 8, 2020

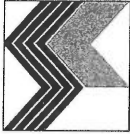
Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – June 24, 2020 hearing

NO.	ADDRESS	COMMENTS
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A-61/20	64 Currie Street	No Comment
A-62/20	82 Huntington Lane	Be advised that a building permit is required for the proposed One Storey Addition. Be advised that reductions in the required yard setbacks may have spatial separation implications affecting the permitted area of glazed openings and permitted type of construction facing those yards.



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: June 3, 2020
Subject: Committee of Adjustment Hearing – June 24, 2020

PRCS has reviewed the Committee of Adjustment application for the hearing of June 24, 2020 and provides the following comments;

1.13 Valley Road, Consent B-25/20SC – 60.84.

13 Valley Road, Consent B-26/20SC – 60.84.2303

13 Valley Road, Consent B-27/20SC – 60.84.2304

13A Valley Road, Minor Variance, A-55/20 – 60.81.5645

13B Valley Road, Minor Variance, A-56/20 – 60.81.5646

13C Valley Road, Minor Variance, A-57/20 – 60.81.5647

13D Valley Road, Minor Variance, A-58/20 – 60.81.5648

There is one existing boulevard tree, which is evaluated to be in poor health and may be removed prior to construction.

CRCS staff additionally note that there are a number of mature private trees on the subject lands. The retention of mature periphery trees can assist with compatibility between new development and existing residential uses. Should PBS wish to retain the trees along the north lot line of Part 1 and the East lot lines of Parts 2, 3, and 4, CRCS recommends that the following be included as a condition of severance or included within a Development Agreement for the subject lands;

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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.

CRCS has reviewed the remaining applications for the hearing of June 24, 2020 and offers no comment on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: June 18, 2020
Hearing Date: June 24, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
13A-D Valley Road, A-55-58/20SC
8 Glenholme Drive, A-59/20SC
68 Highland Avenue, A-60/20SC
64 Currie Street, A-61/20SC
82 Huntington Lane, A-62/20SC

Development Engineering have reviewed the above applications and have no objections to the requested variances.

Trusting this information is satisfactory.

Regards,

Prepared by:

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

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: June 3, 2020

Subject: Committee of Adjustment
Public Hearings – June 24, 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