

## 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](http://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

102 Broadway, Consent, B-07/19SC – 60.84.2235, 102 Broadway, Minor Variance, A-19/19 – 60.81.5453, 2 Lakeside Drive, Minor Variance, A-20/19 – 60.81.5454  
A request has been received from the Owner to further extend the deferral of the consent and minor variance applications that were approved at the May 13, 2020 in order to implement changes to the proposal based on discussions with the City Planner and make revisions to the applications to return to the Committee.

Agent: Frank DiPietro

6. Motion to Adopt the Minutes of the previous Hearing held on July 29, 2020.
7. Application:
  1. 39 York Street, Minor Variance, A-33/20 – 60.81.5623
  2. 192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641
  3. 8 Paxton Avenue, Consent, B-22/20SC – 60.84.2299  
8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635  
10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636
  4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659
  5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661
  6. 84 Permillia Street, Minor Variance, A-72/20 – 60.81.5662
  7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664
  8. 59 & 59 1/2 Niagara Street, Minor Variance, A-75/20 – 60.81.5665
8. New Business:
9. Date of next Hearing: September 23, 2020 at 5:00 p.m.
10. Adjournment

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

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

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# **COMMENTS**

**A-33/20 (60.81.5623)**

**39 York Street**

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



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 20, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** A-33/20

**File:** 60.81.5623

**Subject:** 39 York Street

### Recommendation

That Application **A-33/20** by Dianne Bacon and Kirk Davies, as outlined in the Notice of Hearing, be approved.

### Report The Proposal

The Applicants propose to construct an addition at the rear of the existing detached garage on the property known as 39 York Street. Accordingly, Application A-33/20 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for a reduction of the minimum interior side yard setback from 0.6 metres to 0.47 metres.

### Location and Site Description

The subject property is located on the west side of York Street, north of Louisa Street and south of Albert Street. The property is surrounded by detached dwellings.

### Circulation of Application

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

### Planning Policy Context

#### Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E4. Detached dwellings with accessory structures are permitted in this designation.

#### Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3). Detached dwellings are permitted in this zone.

## Planning Analysis

The proposed reduction in interior side yard setback for the proposed addition is requested to allow the addition to be built in line with the existing detached garage. The existing detached garage is already setback 0.47 metres from the property line. The addition is not expected to cause or increase any negative impacts on neighbouring properties if it is permitted at the same setback. As such, the reduction of the setback from 0.6 metres to 0.47 metres is considered minor.

The variance will facilitate the construction of an addition that will increase the size of the existing detached garage without compromising the character of the surrounding area. The continuation of the established setback is considered desirable for the appropriate use of the land.

Section 7.1 (c) of the Garden City Plan states that development and redevelopment shall be evaluated having regard for building, site, streetscape and neighbourhood context sensitive design to ensure the integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood.

In part, the minimum side yard setback requirement in the Zoning By-law is intended to ensure appropriate spacing of neighbouring buildings, as well as to allow space for adequate rear yard access and, if necessary, lot drainage. The existing structure is currently setback 0.47 metres from the property line, so there is no further impact to access by allowing the addition to match the existing setback. There is sufficient space along the opposite side of the structure to allow access to the rear yard. Further, a lot grading plan will be required to be submitted for approval at the building permit stage to ensure lot drainage is not impacted. The spacing of the buildings is an established situation that is not exacerbated by the addition. The intent of both the Official Plan and Zoning By-law are maintained.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-33/20** 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:**



Taya Devlin  
Planner I

**Approved by:**



Judy Pihach M.C.I.P., R.P.P.  
Manager of Planning Services



**Munro, Elaine**

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**Subject:**

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

39 York Street  
8 Paxton Avenue

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

**Sent:** Monday, August 10, 2020 8:54 AM

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

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

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Hi Elaine

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](mailto:Doug.crown@cogeco.com)

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.

**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/20  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,



Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)





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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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

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# **COMMENTS**

**A-51/20 (60.81.5641)**

**192-194 Glendale Avenue**

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

**Munro, Elaine**

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**Subject:** RE: 192-194 Glendale Avenue

**From:** Pattie Ewasiuk <>

**Sent:** Wednesday, August 19, 2020 6:55 PM

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

**Subject:**

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Regarding file #60.81.5642

Submission#A-51/20

Hello, I am the legal owner of 9 East Hampton rd. for the past 25 yrs. I & my neighbors 7 East Hampton, 11 East Hampton are adamantly opposed to the proposed severance & infilling (with 6 properties) directly behind my house for the following reasons #1 my property has the lowest grade, extra structures drainage will encroach upon my already saturated property potentially damaging my home and outbuildings without proper installation of sweeping tiles or re-routed drainage. #2 loss of privacy. 3 units will be able to enjoy the view of my swimming pool and obstruct my view. #3 too close to my property line. Noise and excess traffic in my once private oasis hinders and infringes on my rights to happiness as a homeowner and taxpayer \*thankyou for your consideration

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

**Munro, Elaine**

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**Subject:** RE: 192-194 Glendale Ave.

**From:** mpolot <>  
**Sent:** Wednesday, August 19, 2020 9:36 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>; mpolot@cogeco.ca  
**Subject:** 192-194 Glendale Ave.

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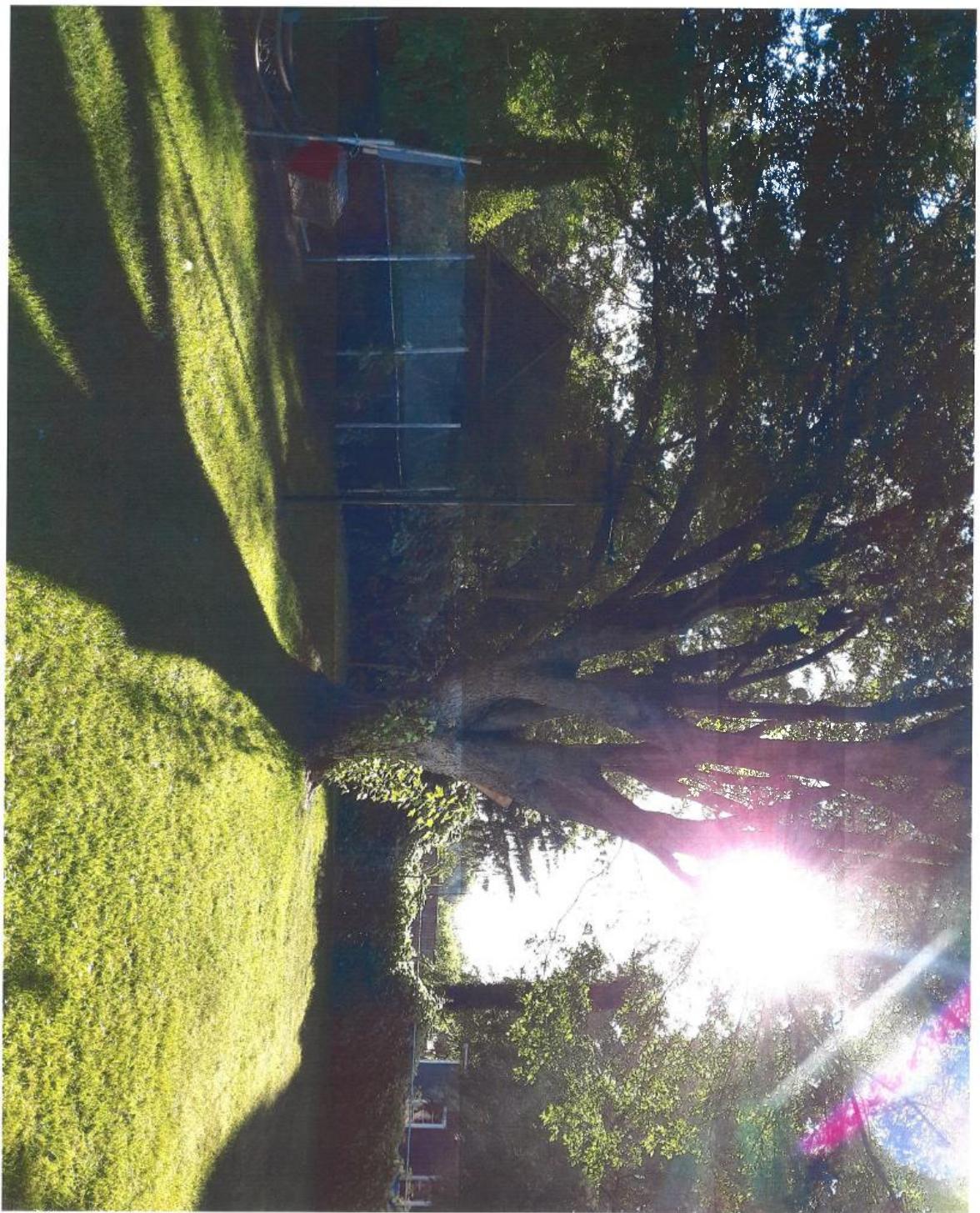
Here we are again. Asking to stop the invasion of homes in our beautiful neighborhood. My husband and I own 10 and 11 East Hampton Road. We live at 10 East Hampton Road. My father and brother live at 11 East Hampton Road. Both properties have had a severance to the properties beside them taking away our 55 years of privacy and completely blocked the view of our beautiful escarpment. I ask that everyone actually look at the person reading this email. I feel that I was not given the respect of your attention last time I actually attended in person. The people making the decisions were shuffling papers around like I wasn't even there. Thank you. First of all there are already hundreds of vacant rooms and homes for rent in this area. Do we need more competition? The traffic from the Pen Centre is already dangerous with the dip to the east of the driveway on Glendale Ave and the bend on the west of the driveway without another street added. How will garbage collection work or will there be a dumpster behind 196 Glendale ave pool? Now, not only will we lose the view of the escarpment but of the sunrise. And green space. The vegetable garden we rely on for food needs that sun. We can already hear the echo of the cars and motorcycles on the 406 highway, now they will be in my backyard. At least 6 cars. With their exhaust. Also, if I am reading this plan correctly 4 of the 14 parking spaces they are counting belong to the main house at 192 Glendale. Where do all the extra cars park? Where do the visitors park? Is there enough green space and drainage infrastructure to accommodate the water runoff? My downspouts are not aloud to run into the city sewer system. Why will these homes be aloud to with the homes built right to the fire route. With no front lawn where does the water go? 11 East Hampton and 9 East Hampton already swamp out all spring with the slope of the property. The proposed semi detached house and 3 townhouses is even lower than our 2 properties. Will they be filling in the area to send the water back to our yards? The hydro lines run through the back of our properties. Is there no hydro easement? Lastly if these are minor variances what would constitute a major variance? What are bylaws for if they can be completely ignored? I have included some pictures as well. This is a picture of the view of the sunrise. There will be a second email with more pictures. Thank you for your time. Maryanne and Richard Polot. 10 East Hampton Road. 905-

Sent from my Samsung Galaxy smartphone.

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







**Munro, Elaine**

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**Subject:**

RE: 10 East Hampton road 11 East Hampton

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**From:** mpolot <>

**Sent:** Wednesday, August 19, 2020 9:40 PM

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

**Subject:** 10 East Hampton road 11 East Hampton

**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.

View of the escarpment. Verses view of Giant house...

Sent from my Samsung Galaxy smartphone.

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









**Munro, Elaine**

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**Subject:**

RE: Objection of 192-194 Glendale Ave Construction

**From:** Chunhong Zhao <>

**Sent:** Wednesday, August 19, 2020 10:04 PM

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

**Subject:** Objection of 192-194 Glendale Ave Construction

**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-Treasure,**

I am writing concerning the revised Notice of Hearing for the 192-194 Glendale Avenue.

I own the property of 196 Glendale Ave. I bought it in June 2019 because it has a good neighborhood surrounding of wood and quietness. There's also a privacy for my swimming pool.

I strongly object the construction plan of 192-194 for the following reasons.

Firstly, the zoning for this area is a single family residential community. That's the reason I bought my house of 196 Glendale Ave. Building town houses, semi-detached houses in the lot of 192-194 Glendale Ave does not conform with the original zoning of the area.

Secondly, there will be some noise due to the over-crowded six more units plus the original two houses in 192-194 Glendale Ave, especially for the rental units.

Thirdly, there will be parking problems due to so many people living in the properties which may cause safety issues for the neighboring properties.

Fourthly, the eight units will produce a lot of garbage, and the garbage bins could be blown towards my property which will be dangerous and terrible experiences.

Fifthly, there will be a potential danger of fire safety. The crowd spaces between the houses itself create the danger. The residents may park in the narrow fire lane and block the way. If there is a fire, my house will be impacted.

In addition, there will be a serious privacy problems. If the two story dwelling is built, it will be right next to my house and my swimming pool. We feel like being exposed to the buildings while we swim. This will greatly affect the quality of our life and the value of my property. I would not buy this property if we had known the extension building plan for 192-194 Glendale Ave.

I hope the Committee of Adjustment will seriously consider my situation and prevent the new construction in 192-194 Glendale Ave, St Catharines.

I talked to several neighbors and they all expressed their feelings against the construction. M. Polot of 11 East Hampton told me to express her concerns and her family's objections. Pattie Ewasiuk of 9 East Hampton could also be reached to hear about her strong objection for the construction. You need also hear some other people's negative feedbacks in the neighborhood against the construction.

We love our beautiful and quiet neighborhood, but the construction will destroy the peace and safety for some properties near it. It will greatly impact the nearby properties and people's privacy and safety.

We look forward to hearing your serious concerns and the construction of the 6 more units will not be approved. Otherwise, it will be a disaster for us in the neighboring properties.

Best regards,

Ping Li  
196 Glendale Ave  
St. Catharines



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 21, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** A-51/20

**File:** 60.81.5641

**Subject:** 192 Glendale Avenue and 94 Glendale Avenue

### Recommendation

That Application **A-51/20** by Brock View Rentals Inc and Brock View Properties Inc, as outlined in the Notice of Hearing, be approved providing the lands are developed generally in accordance with the sketch submitted with this application, attached as Appendix 1 to this report and attached to the decision of the Committee.

### Report The Proposal

The Applicants propose to build a private road development on 192 and 194 Glendale Avenue (to be merged). The two existing detached dwellings will be retained with a further six dwelling units constructed to the rear of the lot. The new units will consist of a three-unit townhouse dwelling, a semi-detached dwelling and a detached dwelling. The existing driveway for 194 Glendale Avenue will be improved to become a private road with three areas for parking. The existing driveway and garage at 192 Glendale Avenue will be retained for additional parking. An Application for site plan approval is currently under review by staff. The following variances are required to permit the proposed private road development.

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Interior Side Yard Setback from End Wall	5m	1.8m
2.	Minimum Interior Side Yard Setback from End Wall	5m	2.2m
3.	Minimum Distance Between Buildings - End and Rear Wall	6m	5.7m
4.	Minimum Distance Between Buildings - Between Rear Walls	7.5m	4.5m

5.	Minimum Distance from Private Road to Dwelling	3m	1.6m
6.	Minimum Distance from Private Road to Dwelling	3m	0m
7.	Minimum Distance from Private Road to Dwelling	3m	0m
8.	Minimum Distance from Private Road to Dwelling	3m	1.4m
9.	Minimum Distance from Private Road to Dwelling	3m	0m
10.	Minimum Interior Side Yard Setback for Platform Structure	5m	1m
11.	Minimum Interior Side Yard from Rear Wall	7.5m	6.8m
12.	Minimum Interior Side Yard from Rear Wall	7.5m	6.8m

## Location and Site Description

The subject properties are located on the south side of Glendale Avenue between Hampton Road and the Pendale Plaza. The immediate neighbourhood is primarily residential. Dwellings adjacent to the subject properties are a mix of single storey and two-storey detached dwellings. Approximately 225 metres to the east of the subject properties is a commercial area including the Pendale Plaza and the Pen Centre shopping mall.

The subject properties are each presently occupied by two-storey detached dwellings. There is an in-ground pool at 192 Glendale Avenue and several accessory buildings at 194 Glendale Avenue. The pool and accessory buildings are proposed to be removed. The detached dwelling at 194 Glendale Avenue is a former farm house that dates from around 1920. The structure and property does not have any heritage designation or other protections.

## 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. Residential private road developments are permitted in this designation at a density range generally between 20 and 32 units per hectare. The density of the proposed private road development is approximately 24.5 units per hectare.

### **Zoning By-law (2013-283)**

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Private road developments consisting of detached, semi-detached and townhouse dwellings are permitted in this zone.

## **Planning Analysis**

### **Variances 1, 2 and 10**

The Applicants have requested reductions to required interior side yards for the two existing dwellings. Variances 1 and 2 seek to recognize the existing setbacks from the end walls of the existing detached dwellings – 1.8 metres from the dwelling at 192 Glendale Ave to the western interior side lot line and 2.2 metres from the dwelling at 194 Glendale Ave to the eastern interior side lot line. Variance 10 seeks to recognize the existing 1.0 metre setback from the platform structure at the rear of 192 Glendale Ave to the eastern interior side lot line.

Variance 1 and 2 are required because the existing detached dwellings are changing from detached dwellings on standalone lots to detached dwellings in a private road development. The setback requirements are thus changed from a required interior side yard of 1.2 metres (or 2 metres, depending on building height) to 5 metres (the sides of the dwellings will be considered end walls of units in a private road development). Similarly, Variance 3 will recognize the change in the required setback from a lot line to a platform structure. The Zoning By-law requires platform structures to be setback from the interior side lot line a distance equal to the required interior side yard for the principle building (in this case 5 metres).

Since these conditions are all existing, and the two existing detached dwellings will continue to be used as such in the proposed private road development, staff are satisfied that no new impacts will arise from approval of these variances. Staff find that Variances 1, 2 and 3 are minor in nature, and are considered desirable for the appropriate use of the subject lands. Since detached dwellings in private road developments are permitted in the Zoning By-law and Official Plan, staff consider the intent of the Zoning By-law and Official Plan to be upheld. Therefore, staff recommend approval of Variances 1, 2 and 10.

### **Variances 3 and 4**

The Applicants have requested a reduction in the minimum setback between structures in a private road development. Variance 3 seeks to reduce the required setback between an end wall and a rear wall from 6 metres to 5.7 metres for the space between the existing



detached dwelling at 192 Glendale Ave and the proposed three-unit townhouse dwelling. Variance 4 seeks to reduced the required setback between two rear walls from 7.5 metres to 4.5 metres for the existing detached dwelling at 194 Glendale Ave and the proposed detached dwelling. Approval of the variances would permit the new dwellings to be built closer to the existing dwellings than is otherwise permitted. The reductions are considered minor in nature.

The proposed setback reductions permit the development to maintain greater setbacks between the proposed structures and the interior and rear lot lines adjacent to surrounding existing homes. Although not anticipated by staff, any impact resulting from these variances would be internal to the site; no impacts on adjacent existing homes will result from Variances 3 and 4. The design of the new units, including window placement, will be refined through the site plan process to ensure there are no adverse privacy impacts on the units within the private road development. Staff comments indicate these reduced setbacks will not cause impacts to site grading, drainage or landscaping. The reduced setbacks between buildings are considered desirable for the appropriate use of the subject lands.

The intent of the 6 metre setback between end walls and rear walls, and the 7.5 metre setback between rear walls in private road developments is to facilitate drainage and landscaping for the overall site and to allow for sufficient outdoor amenity space for each dwelling unit. As stated above, the requested reductions will not have an impact on landscaping or drainage. The site is of sufficient size to accommodate site drainage and landscaping elsewhere. Similarly, the size of the site and the layout of the existing and proposed dwellings allow suitable outdoor amenity space despite these reduced setbacks. 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. As stated above, by reducing the setbacks between buildings in the private road development larger setbacks are being provided between the proposed buildings and the interior and rear lot lines. This will provide a more context-sensitive design as it relates to the development's fit within the existing neighbourhood. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variances 3 and 4.

#### **Variances 5, 6, 7, 8 and 9**

The Applicants have requested a reduction in the minimum setback between dwellings and the private road (by definition, the private road includes the paved portion of the road, curbing, sidewalks, and parking areas), as follows:

- Variance 5 proposes a setback of 1.6 metres for the existing detached dwelling at 192 Glendale Ave at a pinch point between the dwelling and the adjacent parking space.



- Variance 8 proposes a setback of 1.4 metres for the existing detached dwelling at 194 Glendale Ave at a pinch point between the dwelling and the adjacent parking space.
- Variances 6, 7 and 9 propose a setback of 0 metres for the proposed three-unit townhouse, and semi-detached dwelling, and detached dwelling (the front porches will immediately abut the sidewalk or curb).

The normal required setback in all cases is 3 metres measured from the outside edge of the private road, which includes the sidewalk. It should be noted that for all existing and proposed dwellings, the requested variances represent the narrowest pinch point between the covered porches of the buildings and the private road. The majority of the private road-facing walls of each existing and proposed dwelling will actually be set further back from the private road. Approval of the variances would permit the dwelling units within the development to be built closer to the private road than otherwise permitted. The reductions are considered minor in nature.

The proposed setback reductions permit the development to maintain greater setbacks between the proposed structures and the overall boundaries of the site. Any impacts resulting from Variances 5 thru 9 will be internal to the private road development; there will be no impact on surrounding existing homes. To compensate for the loss of space normally provided for boulevard trees between the front face and the dwelling and the private road, staff will require additional boulevard trees in other areas along the private road (such as to the south of the semi-detached dwelling and between the two detached dwellings). Staff note that a significant amount of landscaping is proposed for the development, including trees to be preserved. Other staff comments indicate that these reduced setbacks will not cause impacts to site grading, drainage or landscaping. The reduced setbacks between dwellings and the private road are considered desirable for the appropriate use of the subject lands.

The intent of the 3 metre setback between private roads and dwellings in a private road development is to facilitate drainage and landscaping for the overall site and maintain a buffer between the private road and dwelling units. As established above, the requested reductions will not have an impact on landscaping or drainage. The site is of sufficient size to accommodate site drainage and landscaping elsewhere on site. Additionally, the Applicants are still able to provide some landscaping between the front walls of the dwellings and the private road. Staff are satisfied that any privacy impacts on the private road dwelling unit occupants that might stem from the reduced setbacks will be minimal; the development is small in terms of unit count and, as a result, there will be very low traffic volumes on both the private road and sidewalk. Efforts have been made through landscaping to provide some buffer between the private road and the dwelling units where space permits. 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. As stated above, by reducing the setbacks between dwelling units and

the private road, larger setbacks are being provided between the proposed buildings and the interior and rear lot lines, which will ensure a more compatible fit within the existing neighbourhood. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variances 5, 6, 7, 8 and 9.

### **Variances 11 and 12**

The Applicants have requested a reduction in the minimum setback between interior lot lines and rear walls of dwelling units. Variances 11 and 12 seek to reduce the required setback between the western interior lot line and the three-unit townhouse and semi-detached dwelling from 7.5 metres to 6.8 metres. Approval of the variances would permit these five dwelling units to be built closer to the western lot line than would otherwise be permitted. The reductions are considered minor in nature.

While the proposed setback reductions do impinge into a required yard established by the Zoning By-law for privacy between the development and neighbouring properties, there are several mitigating factors that reduce the impact of the 0.7 metre shortfall. The proposed private road development is subject to site plan control and staff have assured that there is significant landscaping screening along the western lot line to compensate for these reduced setbacks. Also proposed along the western lot line is a 1.8-metre-tall wood privacy fence; a feature that is not usually required between similar housing forms (i.e. between the proposed dwellings and the existing surrounding detached dwellings). Staff notes the presence of mature trees and a hedgerow on the properties that will be directly impacted by these variances – 9 and 11 East Hampton Road. Staff further notes that the proposed three-unit townhouse is approximately 31 metres away from the dwelling at 9 East Hampton Road and the proposed semi-detached dwelling is approximately 33 metres away from the dwelling at 11 East Hampton Road. Staff find that these three factors greatly reduce the impact the requested variances will have on neighbouring properties. The reduced setbacks between the proposed dwellings and the western interior lot line are considered desirable for the appropriate use of the subject lands.

The intent of the 7.5 metre setback between rear walls and an interior side lot line is to facilitate drainage and landscaping for the overall site, maintain a privacy buffer for neighbouring properties, and to allow for sufficient outdoor amenity space for each dwelling unit. Staff comments indicate that these reduced setbacks will not cause impacts to site grading, drainage or landscaping. As demonstrated above, the existing and proposed landscaping, as well as space between the proposed dwellings and neighbouring dwellings, demonstrate that any impacts to loss of privacy will be minimal. Staff also find that the 0.7 metre reduction in the depth of the rear yard amenity space for the new dwellings is so minor that it will have no impact on the new residents' enjoyment of that space. 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. The reduced rear yard setbacks still maintain sensitivity to the established built neighbourhood and permit landscaping to serve as a buffer in the transition between the surrounding properties and the proposed development. The scale of the proposed buildings, irrespective of the number of units, is similar in building massing to the neighbouring properties. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variances 11 and 12.

## Conclusion

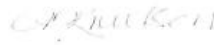
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that the variances requested through Application **A-51/20** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the lands. Staff recommend approval of the Application, subject to the condition outlined in the recommendation.

**Prepared and Submitted by:**



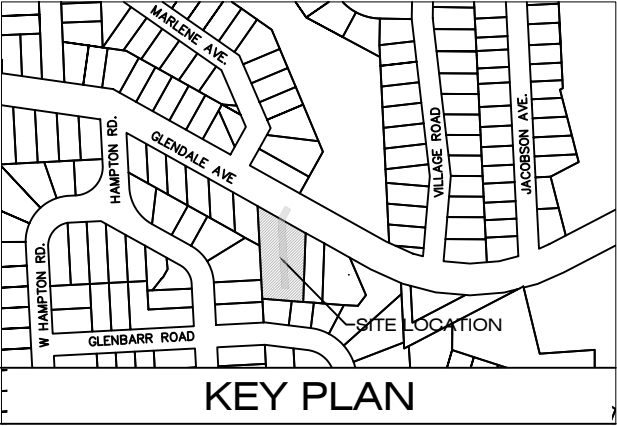
Evan Acs  
Planner I

**Approved by:**



Amanda Knutson  
Senior Development Planner  
(Planner II)

Appendix A

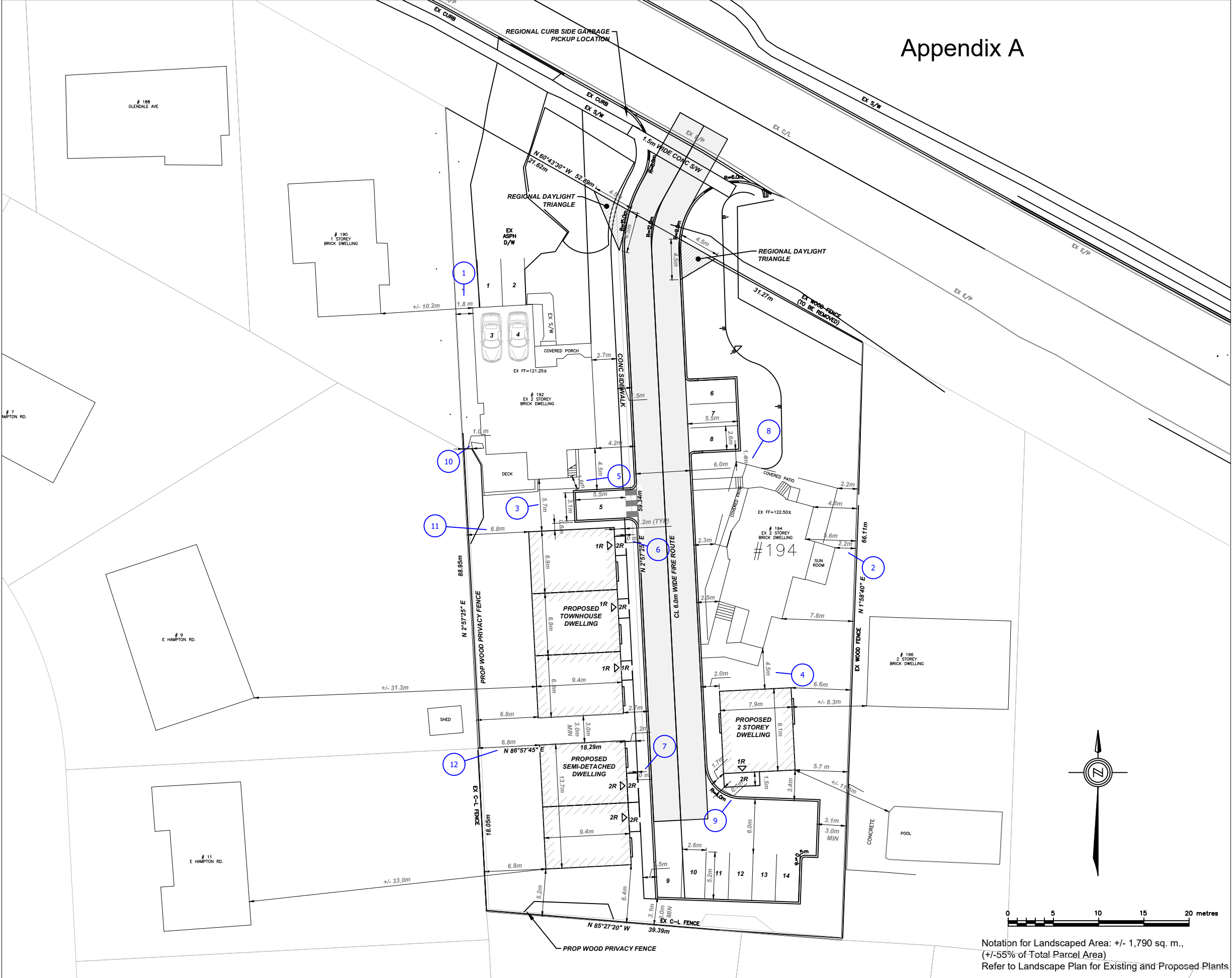


MINOR VARIANCE SUMMARY				
Zoning Setback	Residential Building Requesting Relief	MV Number Identified on Site Plan	Required Setback	Proposed Setback through MV Application
Interior Side Yard from End Wall (Section 5.7 Additional Private Road Development Provisions)	Building 1 (192 Glendale)	MV 1	5 m	1.8 metres
	Building 4 (194 Glendale)	MV 2		2.2 metres
Between Buildings, Between End and Rear Wall (Section 5.7 Additional Private Road Development Provisions)	Building 1 (192 Glendale) & Building 2 (Townhouse)	MV 3	6 m	5.7 metres
Between Rear Walls (Section 5.7 Additional Private Road Development Provisions)	Building 4 (194 Glendale) & Building 5 (Single Detached)	MV 4	7.5 m	4.5 metres
Minimum Distance from Private Road to Dwelling (Section 5.7 Additional Private Road Development Provisions)	Building 1 (192 Glendale)	MV 5	3 metres	1.6 metres
	Building 2 (Townhouse)	MV 6		0 metres
	Building 3 (Semi-Detached)	MV 7		0 metres
	Building 4 (194 Glendale)	MV 8		1.4 metres
	Building 5 (Single Detached)	MV 9		0 metres
Minimum Setback for Platform Structure from Interior Side Lot Line (Section 2.10.2 Platform Structure (Deck, Porch, Balcony, Patio))	Building 1 (192 Glendale)	MV 10	Required Interior Side Yard of Principal Building (5 metres)	1.0 metre
Interior Side Yard from Rear Wall (Section 5.7 Additional Private Road Development Provisions)	Building 2 (Townhouse)	MV 11	7.5 m	6.8 metres
	Building 3 (Semi-Detached)	MV 12		6.8 metres

Date: 2020-08-06  
Scale: graphic scale provided  
File No.: 19308

Project Title:  
192/194 Glendale Avenue  
Proposed Minor Variances

COMMUNITY  
DEVELOPMENT  
PLANNING



August 12, 2020

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

**Attention: Elaine Munro**

File# 60.81.5641

Re: 192-194 Glendale Ave

In response to your correspondence dated July 31, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Subdivision or Townhouse development, the Developer needs to contact our Engineering Design Department @ 416-819-4975.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- Hydro easement is to remain clear of encroachment of any kind.

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.

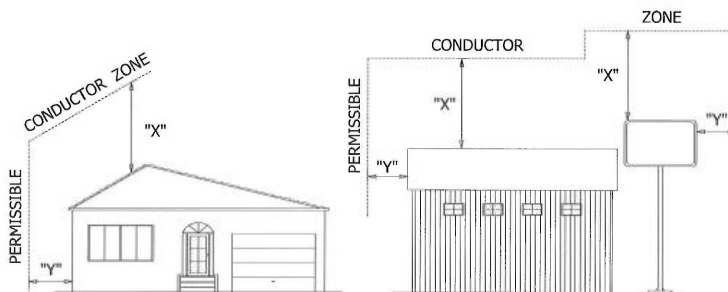
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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



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

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

\* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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

**Munro, Elaine**

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

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

**Sent:** Monday, August 10, 2020 9:20 AM

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

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

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

Hi Elaine  
Email 2

31 Meredith, 84 Permilla and 59 Niagara

Cogeco has one comment for these applications -

192-194 Glendale Ave.

Cogeco has a pedestal on city property between 190 and 192 Glendale. If this requires relocation due to this development. The developer/Owner will be responsible for 100% cost recovery for the relocation.

Thanks

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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





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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.

4. **31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**  
No comment.

5. **34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –**  
**34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660**  
**34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

6. **84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**  
No comment.

7. **3 Clifford Street, Consent, B-34/20SC – 60.84.2311**  
**3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663**  
**3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/20  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,

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

Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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

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# **COMMENTS**

**B-22/20SC (60.84.2299), A-45/20  
(60.81.5635) & A-46/20 (60.81.5636)**

**8 Paxton Avenue**

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

**Munro, Elaine**

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**Subject:**

RE: File No. 60.84.2299 Submission No. B- 22/20SC - 8 Paxton Avenue

**From:** Don Davidson < >

**Sent:** Saturday, August 8, 2020 9:49 AM

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

**Cc:** Garcia, Carlos <cgarcia@stcatharines.ca>; B Williamson <cbrucewilliamson@gmail.com>

**Subject:** File No. 60.84.2299 Submission No. B- 22/20SC - 8 Paxton Avenue

**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.

Our names are Don and Jill Davidson and we live at 59 Christie Street in Port Dalhousie.

We received your Notice of Hearing regarding the subject property and would like to register the following comments.

While re-development of properties in the Port Dalhousie area has been a reality for years and no doubt will continue, approval of the request for no less than 6 variances for 10 Paxton Avenue and 7 variances for 8 Paxton Avenue would seem to be unprecedented and would open the door for all the similar requests which are sure to follow. Basically, our reading of the variance requests amounts to building two new houses while ignoring the actual land available, the existing height limits and a proposed future road widening that will leave the fronts of the two homes on the doorstep of the curb.

Surely this would be a reckless precedent, leading to a potential landslide of comparable requests that the City of St. Catharines couldn't deny, along with complaints from other property owners who have re-developed properties in the past but done so without variances as excessive as these appear to be.

Don & Jill Davidson

Aug. 12, 2020  
Committee of Adjustment, City Hall,  
City of St. Catharines

**Regarding: Application for Minor Variance, Public Hearing Aug. 26, 2020**

File No. 60.81.5636 Submission No. A-46/20 & File No. 60.84.2299, Submission No. B-22/20SC

Dear Committee of Adjustment Members,

I would like to register my objection to the variances requested for reduction in lot size and green space.

Paxton St., the site of the proposed development leads into Peel St., where I reside in Port Dalhousie.

The reduction of the minimum lot size from 232 square meters to 210 square meters is a difference of 22 square meters or 236.8 square feet. The consequences of allowing the severance with this reduction of square footage, as well as approval of the other variances requested commensurately:

- reduce front yard setback by 3 meters,
- increase maximum lot coverage by 10%, and
- reduction of the minimum outdoor privacy area by 20%

would be diminishment of green space.

These reductions would lead to decreased sequestration of carbon from the atmosphere, decreased water capture, lessen energy savings of cooling and heating effects from plants and trees, and increase water run off into the antiquated sewer system in the cottage district, adding to the risk of sewage overflow into Lake Ontario during times of heavy rains. It would be difficult to have a garden, or grow trees to mitigate the effects of climate change in the limited space that would be retained around the home with variances as requested.

I would request that the Committee of Adjustment consider the consequences of approving the changes requested not only from the perspective of tax revenue, but also from the perspective of the density and character of the area, as well as the green space allotment which mitigates the effects of climate change.

If the approval does get passed as requested, despite opposition, perhaps the City Councillors could do so with the provision that the developer of this property be required to fund planting of some trees in the public park of Abbey Mews, or another site in St. Catharines, to offset the reduction of greenspace that the project would entail.

Thank you for your consideration of this objection to the proposed variances.

Sincerely,

Ann Tassonyi  
18 Peel St.  
St. Catharines ON L2N 7N8

August 14, 2020

Patrick and Sue McCurrie

Opposed to application for severance and minor variances at 8 Paxton Avenue, St. Catharines

We are the property owners of 6 Paxton Avenue which abutts 8 Paxton Avenue to the north. We are opposed to the severance and all variances proposed for this development.

File No. 60.84.2299, Application No. B-22/20SC

#### Severance

We are opposed to the severance as we believe the existing dwelling, which is centred on the lot, has valuable heritage features which should be preserved. This home was built in 1932 and is an 1100 +- sq.ft. bungalow with a unique pyramid hip and gable roof line. The covered front porch is reminiscent of Craftsman style with the large vaulted overhang. If severance is approved it will be in the hands of the Heritage Committee to determine if there is sufficient historic value to save this gem from the wrecking ball. Heritage era homes on the street range from 1927 to 1948.

Application No. A-45/20, Application No. A-46/20

If severance is granted, the owner wishes to over-develop these two sites by requesting variances that will reduce the required lot area, front yard setback to dwelling and garage, platform structure, outdoor privacy area, and increase lot coverage, and building height. This small neighbourhood has seen previous similar requests for severance and variances and even though public opposition was expressed, these applications were granted. This refers to the following.

**3 Considine- File #60.84.2141 Application #56/17SC, 60.815286 A118/17      Lot size 50.41 x 51.08**  
**5 Considine File #842142 Application #B57/17SC 60.81.5287 A119/17      Lot size 48.73 x 51.08**  
**11 Paxton Lot size 46.45 x 49.10**

The above noted three lots were exposed on the local Real Estate market ranging from 150 to 180 days with no sales. They have since been removed from active listing. These all had plans drawn up for development. This gives credence that new homes on small lots are not in demand in this area. 3 and 5 Considine were also advertised suggesting both lots could be purchased together for a larger dwelling or a 1200 sq. ft. 2 storey home with attached carport could be built on each lot. The latter is more in line with the neighbourhood as to what should be constructed on these undersized lots. 13 (aka 11 and 13) Paxton recently sold and the purchasers inquired about merging the two lots back to one and were denied by the city, according to the listing realtor. The purchasers have since proposed to develop on both sites with the main dwelling to be built on the lakefront lot and a detached garage with living area above, built on the vacant severed lot. This is a workable solution to a severed two lot property, which further emphasises the lack of demand for undersized lots.

The northwest corner of our property abutting the proposed development has a mature tree with a trunk circumference of 108 inches and canopy height in excess of 40 feet. This tree will be in serious jeopardy of damage and eventual death if excavation is allowed to take place within the drip line. We have been in communication with Benjamin Mark Nielson, an Ontario certified arborist, regarding the potential harm to this tree. He will be conducting an assessment of this tree in September and providing a report on its health and methods to prevent damage if construction should be approved. The City of St. Catharines' goal to increase the tree canopy to 30% is currently drastically behind since the Emerald Ash Borer has destroyed so many trees. The city's Urban Forestry Management Plan goal is "To preserve and improve the quality and sustainability of the urban forest of St Catharines through better management and tree protection while respecting private property rights.

Proposed Severance and Variance for 8 Paxton Ave., St. Catharines

14-Aug-20

Address	Lot size	Lot Area S.F.	Lot Area m2	Building Footprint	% Lot Coverage	Outdoor Privacy Area	Building Style	Year Built
1 Paxton Avenue	34.83 x 68.90	2399	222.87	800 sq.ft.	33%	*N/A	Bungalow	1935
3 Paxton Avenue	30 x 70	2100	195.1	800 sq.ft.	38%	56%	Bungalow	2017
4 Paxton Avenue	70 x 49	3430	318.66	800 sq.ft.	23%	105%	1.5 Storey	1948
5 Paxton Avenue	40 x 120.55	4822	447.98	600 sq.ft.	12%	*N/A	Bungalow	1930
6 Paxton Avenue	50 x 50	2500	232.66	880 sq.ft.	35%	54%	2 Storey	1942/2018
7 Paxton Avenue	40 x 70	2800	260.13	800 sq.ft.	29%	108%	Bungalow	1932
9 Paxton Avenue	60 x 70 lrr	3670	340.95	500 sq.ft.	14%	140%	Bungalow	1941
13 Paxton Avenue	58.49 x 57.48	3879	362.04	910 sq.ft.	23%	*N/A	1.5 Storey	1927
14 Paxton Avenue	50 x 108.63	5431	504.56	1310 sq.ft.	24%	185%	Bungalow	1930
Average					26%	108%		
Proposal								
8 Paxton-Part 1	45.76 x 54.99	2153	200	1087 sq.ft.	52%	21%	2 Storey	Proposed
8 Paxton-Part 2	48.64 x 54.99	2260	210	1125 sq.ft.	50%	20%	2 Storey	Proposed
8 Paxton existing	55 x 100	5500	510.97	1070 sq.ft.	20%	*N/A	Bungalow	1932

\* There was insufficient measurements available to calculate Outdoor privacy areas on these properties, but due to their small building sizes in comparison to lot sizes. These ratios would far exceed the minimum of 40% of GFA

All of the above information on this chart has been obtained from several reliable sources. All lot sizes and lot areas were obtained from Teranet Inc. Geowarehouse Services which is an on-line registry search program with links to MPAC Services and Assessment records. A copy of each individual search on all properties on this chart is found attached to this submission. Square footage of all building footprints was obtained from several sources, including assessment records, previous MLS realty listings, as well as I have personally measured 7 of the 10 properties, with some of the same having a second confirmation from the forementioned sources. Most of the properties are small bungalow design so this task was not difficult

## Proposed Variances for 8 Paxton Avenue- Application No. 45-20, Application No. 46-20

We are opposing all of the minor variances in both applications. The chart on the proceeding page illustrates all the pertinent information on all improved properties on Paxton Avenue.

### 1. Reduction of minimum lot area

If this variance is approved, both proposed lot areas will be less than the minimum required under the zoning by-law and will also be smaller than 9 out of 10 properties on the street. This will create 2 undersized lots with oversized dwellings, not in keeping with the streetscape of Paxton Avenue.

### 2. Reduction of minimum front yard setback from 3 metres to 0 metres

There are no improved properties that currently have zero front yard setback on the street. According to the City of St Catharines zoning by-law (Dec. 16, 2013) Section 2 Subsection 2.17 reduced building lines can be applied for as follows. "For all zone categories the minimum required front yard, and/or minimum required exterior side yard may be reduced to the average of the established front and/or exterior side yards on abutting lots on either side of the subject lot, providing that, with the exception of the downtown traditional main street (C6 Zone) the building line is set back a minimum of 1 metre from the lot line to be established by any acquired public acquisition of lands."

By applying this rule, the property abutting to the south (6 Paxton) has a setback of 6.858 metres as illustrated on the approved site plan, as per building permit in 2018. (Copy attached).

The other abutting property to the north (14 Paxton) has an existing setback of 1.8 metre as illustrated on the site plan of the subject proposal. By averaging the same, equates to a setback of 4.29 metres. As this is above the 3 metre minimum, we don't feel a reduction in the setback requirements to zero is appropriate. This same reduced building lot line outcome should also apply to the platform reduction. Also please note the property at 14 Paxton is actually on an un-improved road allowance which somewhat distorts the actual setback figure and puts it at a lower setback than most homes on the east side of Paxton. All the homes to the southeast on Paxton Avenue, including the current existing property requesting adjusted setbacks, have similar 6.+\_m setbacks from the street.

The proposed garage reduction should also revert back to the permitted setback of 6 metres for Part 1 site. Part 2 did not request a reduction in the garage setback so we assume they are going to adhere to the minimum requirements on this.

In regard to Part 1 there is a large mature tree on the northwest corner of 6 Paxton (abutting) that will most likely have serious root damage sufficient to kill the tree, if the garage setback is allowed to be reduced.

### 3. Increase for maximum lot coverage from 40% to 52% and 40% to 50%

Lot coverages from all improved properties on Paxton Avenue range from a low of 12% to a high of 38% with an average of 26% applicable. We feel this is the norm on the street, which has all of the properties under the 40% range, as all properties have small lot sizes with appropriately sized dwellings constructed on each. To ask for a 50 and 52% building coverage ratio is well above the average to be considered in this area. These structures should be forced to conform to the 40% building coverage to fit in with the neighbouring properties rather than dominate the street.

#### 4. Minimum Outdoor Privacy Zones

These particular areas are illustrated on the aforementioned chart and range from a low of 54% to a high of 185% with an average of 108%. Again, small house sizes on average size lots for the street indicate much larger outdoor privacy zones than are applied for in both applications. There seems to be a trend in this area that dwellings with small or minimal outdoor privacy areas have a longer marketing time than typical marketing times for properties with larger outdoor privacy areas. A reduction of outdoor privacy area from 40% to 21% and 20% would be totally out of character for the subject street and would be a dangerous precedent to set.

#### 5. Increase in Maximum Height Allowable

We oppose the height of the proposed structures above the stated maximums as this will create a larger shadow and reduction of sunlight to the abutting properties. Views of the sky from all the surrounding properties will also be reduced.

Four **Failed** tests to comply with Minor Variance Applications are as follows.

1. These variances are not minor in nature as the applicant is requesting multiple exceptions from the requirements of the current zoning by-law. These variances far exceed the minimal requirements and if granted will impact the surrounding properties. A mature tree abutting the property in question will most likely die due to close site excavation proximity. Shade will be cast on all bordering properties and the two proposed houses will tower over the single lane roadway due to reduced setbacks from the lot line.
2. These variances if approved, would allow an inappropriate use of the land due to the extreme lack of outdoor privacy area and reduction in greenspace.
3. The official plan states new construction and infilling should be compatible to the surrounding buildings and streetscape. This does not pass the test as it will have a higher lot coverage than any dwelling on the street, will be further set forward toward the roadway than any existing homes, and will be taller than existing homes on either side and the street.
4. Zoning by-laws are in place for the purpose of regulated growth, to preserve the character of the neighbourhood, and attempt to prevent the decline of land values. Allowing two modern stucco, glass, and metal clad two and 2.5 storey dwellings imposing their footprint to the maximum land mass conceivable, is not preserving the heritage character (Port Dalhousie Heritage Conservation District, formerly known as the Port Dalhousie Cottage district) of the street or neighbourhood.

In summary, this heritage district is unique and desirable because of the nature and character of the streets and homes situated in it. Paxton Avenue is a small, single one-way lane enhanced with mature trees and homes set back from the street. It is close to the shores of Lake Ontario which further amplifies its desirable location. The proposal goes against what the Heritage Committee is attempting to preserve and which states new construction be compatible with adjoining properties and the avoidance of repetition (proposed homes are nearly identical to each other). These current designs are more appropriate for a suburban subdivision, not a unique character heritage neighbourhood. Many newcomer homeowners (5 homes on the street, including ourselves) bought in this area and made improvements to our homes assuming zoning, planning, and heritage by-laws could be trusted to protect our investments.

# Supporting Documentation

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1 Paxton Ave, St Catharines, L2N5H7

[Suggest an address correction](#)

Owner Name

KOSTYSHYN, CANDICE  
LEE

Last Sale

\$315,900  
Sep 29, 2017

Lot Size

34.84 ft    68.90 ft

Frontage

Depth

Measurements Available  
(See Site & Structure)

Assessed Value

\$216,000

Based on Jan 1, 2016

Phased-In Value

\$216,000

2020 Tax Year

## Legal Description

LT 39 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

## Property Details



## GeoWarehouse Address

1 PAXTON AVE, ST CATHARINES, L2N5H7

## Land Registry Office

Niagara North (30)

## Owner Names

KOSTYSHYN, CANDICE LEE

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

## PIN

461910250



Support

## Site &amp; Structure



**Lot Size**      Area: 2,626.39 ft<sup>2</sup> (0.060 ac)      Perimeter: 219.82 ft  
 Measurements: 75.26 ft x 35.17 ft x 75.28 ft x 34.88 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1**      ARN : 262906004312300

**Site**      Frontage: 34.83 ft  
 Site Area: 2399.76 F

Depth: 68.90 ft

**Structure**      Property Description: Single-family detached (not on water)      Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phase-In Value Click to purchase the 4-year Phase-in Report  
 \$216,000  
 2020 Tax Year

Assessed Value  
 \$216,000  
 Based on Jan 1, 2016

## Assessment Property Information

**Property Address:**  
 1 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY  
**Legal Description:**  
 PLAN 703 LOT 39  
**Property Type:**  
 RESIDENTIAL

## Valuation And Sales Information

**Last Valid Sale Date:**  
 09/29/2017  
**Total Land Value:**  
 NA  
**Last Valid Sale Amount:**  
 \$315,900  
**Total Land Value Base Year:**  
 NA

## Residential Structure Information

**Year Built:**  
 1935  
**Total Floor Area:**  
 Click to Purchase

## Valuation &amp; Sales

## Sales History



## Residential Floor Area Report

Generated on 08/10/2020

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Property Address	1 PAXTON AVE
Municipality	ST CATHARINES CITY
Roll Number	2629060043123000000
Property Code & Description	301 - Single-family detached (not on water)
Structure Code & Description	301 - SINGLE FAMILY DETACHED
Total Floor Area (Above Grade) (sq ft)	709

Previous · Next · 1 of 3 Checked 0 All · None · Page Member Single Line display Display Member Full at 1 per page

Listing Rooms Property History Photos

☐ **1 PAXTON Avenue**  
**St. Catharines, ON L2N 5H7**

RES/Freehold/Sale/Freehold

Price: **\$329,000**Sold Price: **\$315,900**

1 / 23

MLS#: 30586103  
 Alt. MLS#:   
 Region: **Niagara**  
 Municipality: **4 - St. Catharines**  
 Neighbourhood: **438 - Port Dalhousie**  
 Bldg Type/Style: **Detached/Bungalow**  
 Age/Yr Built: **51-99 Years/1935**  
 Legal Desc: **LT 39 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES**  
 Sq.Ft./Source: **852/Public Records**  
 Sq Ft Range: **501 to 1000**  
 Acres/Range: **< 0.5**  
 Taxes/Year: **\$1,320/2017**  
 Irregularities:   
 Heat: **Electric, Gas/Baseboard, Forced Air**  
 Water: **Municipal/**  
 Prev Price:   
 Status: **Sold Closed**  
 DOM: **33**  
 Basement: **Yes**  
 Tot Bdrms: **2 (2+0)**  
 Bathrooms: **1.0**  
 Lot Front: **34.83 Feet**  
 Lot Depth: **68.90 Feet**  
 Lot Shape: **Rectangular**  
 Sewer: **Sewer (Municipal)**  
 Sellers: **FARR, LUCETTE THERESA**  
 List SP/Brk: **EMILY YE FRASER, Broker / REVEL REALTY INC., BROKERAGE**  
 CrossSt/Dir: **bayview drive**

**Property Details**

Roof: <b>Asphalt Shingle</b>	Yr Roof Repl: <b>2015</b>	Air Cond Type: <b>Window Unit</b>
Exterior: <b>Vinyl Siding</b>	Pool: <b>None</b>	Laundry Access: <b>UFFI:</b>
Foundation: <b>Post &amp; Pad</b>	Emer Cert Lvl: <b></b>	Adl Mnth Fees: <b></b>
Fireplaces: <b>1 : Natural Gas</b>	Water Meter: <b></b>	VisitAble: <b></b>
Bsmt Size/Fn/Dev: <b>Crawl Space/Unfinished</b>	Waterfront: <b></b>	Fronting On: <b></b>
#/Type of Garage: <b>0.0/None</b>	Total Parking Spaces: <b>1</b>	# of Kitchens: <b>1</b>
#/Driveway Parking/Type: <b>1.0/ Private Single Wide/Asphalt</b>	Assigned Spaces: <b></b>	

Public Remarks  
 Would you like to feel you are on vacation every day of the year? Welcome to 1 Paxton Ave, Port Dalhousie, an all year round home/cottage by the Lake! Enjoy sunset and waterview right at your doorstep. This relaxing home features two bedrooms, newly carpeted living area with cathedral ceilings, antique teak wood doors, fully fenced yard, handicap access, 4 skylights and a gas fireplace. This great home is a short walk to the lake, beach, park, the local marina, shops, restaurants and coffee shops and all the Port has to offer. Everything has been well maintained by the current owner. Roof is 2 years old and appliances included. Shed also has hydro. This property won't last, so call today to book your private showing or come to our open house on Sunday July 9th from 2pm - 4pm!

**Property Features**

Features and Amenities:  
 Area Influences: **Beach, Lake/Pond, Library, Marina, Park, Quiet Area**  
 Inclusions: **Stove, Fridge, Washer and Dryer**  
 Exclusions:   
 Other Structures: **Fence - Full, Shed**  
 Elem Schools: **Gracefield, St. Ann's**      Sec Schools: **Governor Simcoe, Eden**

**Tax and Financial Information**

Roll#: <b>262906004312300</b>	Assessment: <b>\$189,000/2017</b>	Survey: <b>None</b>
Pin#: <b>461910250</b>	Zoning: <b>RZ</b>	HST Applicable: <b>No</b>
Location: <b>Urban</b>	Fronting On: <b></b>	Status Cert: <b></b>

**Condominium Information**

Property Management Contact: <b>/</b>	Locker #: <b></b>	Cmn Elm Fee: <b>No</b>
Elevator: <b>No</b>		Locker: <b></b>

**REALTOR® Information**

Rmks for Brokerages: **Easy to show! 1 hour showing notice please. Would you like to feel you are on vacation every day of the year? Welcome to 1 Paxton Ave, Port Dalhousie, an all year round home/cottage by the Lake! Enjoy sunset and waterview right at your doorstep. This relaxing home features two bedrooms, newly carpeted living area with cathedral ceilings, antique teak wood doors, fully fenced yard, handicap access, 4 skylights and a gas fireplace. This great home is a short walk to the lake, beach, the local marina, shops, restaurants and coffee shops and all the Port has to offer. Everything has been well maintained by the current owner. Roof is 2 years old and appliances included. This property won't last, so call today to book your private showing or come to our open house on Sunday July 9th from 2pm - 4pm!**

Appointments: <b>Showing time or call the listing agent to Occupant: Owner</b>	Possession: <b>60 - 89 Days</b>
Commission: <b>2% plus HST</b>	Possess Date: <b>09/29/2017</b>
Brokerage Acct: <b>NIB</b>	Under Contract: <b>Hot Water Heater</b>
Sign: <b>Yes</b> Lockbox: <b>Yes</b>	Spec Agreement: <b>No</b>
Commence Date: <b>07/07/2017</b> Expire Date: <b></b>	Contact Exprd: <b>No</b>
Financing: <b>Seller To</b> Holdover Days: <b></b>	CDOM: <b>33</b>
<b>Discharge</b>	

List Brokerage 1: <b>REVEL REALTY INC., BROKERAGE</b>	L/BR Phone: <b>(905) 357-1700</b>
List Salesperson 1: <b>EMILY YE FRASER, Broker</b>	L/SP Phone: <b>(905) 357-1700</b>
Email: <b>emilyye@revelrealty.ca</b>	Salesperson Cell: <b>(905) 321-6071</b>
L/SP Fax: <b>(905) 680-5445</b>	Brokerage Web: <b>www.revelrealty.ca</b>
List Brokerage 2: <b>REVEL REALTY INC., BROKERAGE</b>	Brokerage Phone: <b>(905) 357-1700</b>
List Salesperson 2: <b>JESSIE MACDONALD, Broker</b>	SP Phone: <b>(905) 380-6754</b>
Email SP2: <b>jessie@revelrealty.ca</b>	

**Sold Information**

Original List Price: <b>\$329,000</b>	Sale Date: <b>08/08/2017</b>	Close Date: <b>09/29/2017</b>	Sold Price: <b>\$315,900</b>
LP\$/SQFT: <b>\$386.15</b>	SP/LP: <b>96.02%</b>	SP\$/SQFT: <b>\$370.77</b>	DOM: <b>33</b>
Coop Salesperson 1: <b>EMILY YE FRASER, Broker</b>			C/SP Phone: <b>(905) 321-6071</b>
Coop Brokerage 1: <b>REVEL REALTY INC., BROKERAGE</b>			C/BR Phone: <b>(905) 357-1700</b>



3 Paxton Ave, St Catharines, L2N5H7

[Suggest an address correction](#)

Owner Name

MAISONNEUVE,  
BARBARA;  
MAISONNEUVE, MICHEL



Last Sale

**\$490,000**  
Jun 02, 2017



Lot Size

**29.99 ft      70.00 ft**  
Frontage      Depth

Measurements Available  
(See Site & Structure)



Assessed Value

**\$339,000**  
Based on Jan 1, 2016

Phased-In Value

**\$339,000**  
2020 Tax Year

## Legal Description

LT 38 RCP 703 GRANTHAM/LOUTH S/T INTEREST IN R0389390; CITY OF ST. CATHARINES

## Property Details



## GeoWarehouse Address

3 PAXTON AVE, ST CATHARINES, L2N5H7

## Land Registry Office

Niagara North (30)

## Owner Names

MAISONNEUVE, BARBARA; MAISONNEUVE, MICHEL

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

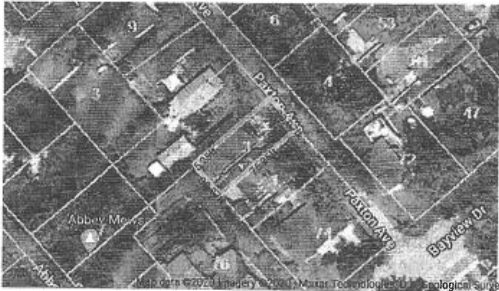
## PIN

461910249



Support

## Site &amp; Structure



**Lot Size** Area: 2,260.42 ft<sup>2</sup> (0.052 ac) Perimeter: 209.97 ft  
 Measurements: 75.25 ft x 30.07 ft x 75.26 ft x 30.07 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004312400

**Site** Frontage: 30.00 ft  
 Site Area: 2100 F

Depth: 70.00 ft

**Structure** Property Description: Single-family detached (not on water) Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report  
 \$339,000  
 2020 Tax Year

Assessed Value  
 \$339,000  
 Based on Jan 1, 2016

## Assessment Property Information

**Property Address:**  
 3 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY  
**Legal Description:**  
 PLAN 703 LOT 38  
**Property Type:**  
 RESIDENTIAL

## Valuation And Sales Information

**Last Valid Sale Date:**  
 06/02/2017  
**Total Land Value:**  
 NA  
**Last Valid Sale Amount:**  
 \$490,000  
**Total Land Value Base Year:**  
 NA

## Residential Structure Information

**Year Built:**  
 2017  
**Total Floor Area:**  
 Click to Purchase

## Valuation &amp; Sales

## Sales History





2- 4 Paxton Ave, St Catharines, L2N5H8

[Suggest an address correction](#)



Owner Name

VENCEL-KRIEGER,  
TRACY LYNN; KRIEGER,  
JAMES ARTHUR



Last Sale

\$0  
Nov 09, 2007



Lot Size

70.01 ft 49.00 ft  
Frontage Depth

Measurements Available  
(See Site & Structure)



Assessed Value

\$280,000  
Based on Jan 1, 2016

Phased-In Value

\$280,000  
2020 Tax Year

#### Legal Description

LT 49 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

#### Property Details



#### GeoWarehouse Address

4 PAXTON AVE, ST CATHARINES, L2N5H8

#### Land Registry Office

Niagara North (30)

#### Owner Names

VENCEL-KRIEGER, TRACY LYNN; KRIEGER, JAMES ARTHUR

#### Ownership Type

Freehold

#### Land Registry Status

Active

#### Registration Type

Certified (Land Titles)

#### PIN

461910218

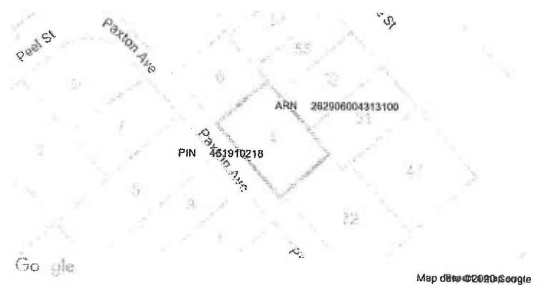


Support

## Site &amp; Structure



Map data ©2020 Imagery ©2020, Maxar Technologies, U.S. Geological Survey



Map data ©2020 Google

Lot Size Area: 3,422.92 ft<sup>2</sup> (0.079 ac) Perimeter: 236.22 ft  
 Measurements: 49.20 ft x 70.15 ft x 47.92 ft x 71.03 ft  
 Lot Measurement Accuracy: HIGH

Assessment 1 ARN : 262906004313100

Site

Frontage: 70.00 ft

Site Area: 0 F

3430

Depth: 49.00 ft

Structure

Property Description: Duplex

Property Code: 332

Total Floor Area (above grade): Click to purchase

Phase-in Value Click to purchase the 4-year Phase-in Report

\$280,000

Assessed Value

\$280,000

2020 Tax Year

Based on Jan 1, 2016

Assessment Property Information

Property Address:

4 PAXTON AVE

Unit Number:

N/A

Municipality:

ST CATHARINES CITY

Legal Description:

PLAN 703 LOT 49

Property Type:

RESIDENTIAL

Valuation And Sales Information

Last Valid Sale Date:

N/A

Total Land Value:

NA

Last Valid Sale Amount:

N/A

Total Land Value Base Year:

NA

Residential Structure Information

Year Built:

1948

Total Floor Area:

Click to Purchase

## Valuation &amp; Sales

## Sales History



5 Paxton Ave, St. Catharines, L2N5H7

[Suggest an address correction](#)

Owner Name

DAVIDSON, DAVID JOHN



Last Sale

**\$97,000**

Jun 23, 2003



Lot Size

**39.99 ft**

Frontage

**120.55 ft**

Depth

Measurements Available  
(See Site & Structure)

Assessed Value

**\$212,000**

Based on Jan 1, 2016

Phased-In Value

**\$212,000**

2020 Tax Year

## Legal Description

LT 36 RCP 703, PTS 1,2,3 PL 30R5309 ; ST CATHARINES

## Property Details



## GeoWarehouse Address

5 PAXTON AVE, ST. CATHARINES, L2N5H7

Land Registry Office

Niagara North (30)

Owner Names

DAVIDSON, DAVID JOHN

Ownership Type

Freehold

Land Registry Status

Active

Registration Type

Certified (Land Titles)

PIN

461910248



Support

## Site &amp; Structure



**Lot Size** Area: 4,843.76 ft<sup>2</sup> (0.111 ac) Perimeter: 318.24 ft  
 Measurements: 40.26 ft x 120.65 ft x 40.09 ft x 120.51 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004312500

**Site** Frontage: 40.00 ft  
 Site Area: 4822 F

Depth: 120.55 ft

**Structure** Property Description: Single-family detached (not on water) Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report  
 \$212,000  
 2020 Tax Year

Assessed Value  
 \$212,000  
 Based on Jan 1, 2016

## Assessment Property Information

**Property Address:**  
 5 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY  
**Legal Description:**  
 PLAN 703 LOT 36 30R5309 PARTS 1 2 & 3  
**Property Type:**  
 RESIDENTIAL

## Valuation And Sales Information

**Last Valid Sale Date:**  
 N/A  
**Total Land Value:**  
 NA  
**Last Valid Sale Amount:**  
 N/A  
**Total Land Value Base Year:**  
 NA

## Residential Structure Information

**Year Built:**  
 1930  
**Total Floor Area:**  
 Click to Purchase

## Valuation &amp; Sales

## Sales History



## Residential Floor Area Report

Generated on 08/10/2020

Property Address	5 PAXTON AVE
Municipality	ST CATHARINES CITY
Roll Number	2629060043125000000
Property Code & Description	301 - Single-family detached (not on water)
Structure Code & Description	301 - SINGLE FAMILY DETACHED
Total Floor Area (Above Grade) (sq ft)	539 + ENC P = 600+/-



6 Paxton Ave, St. Catharines, L2N5H8

[Suggest an address correction](#)

Owner Name

MCCURRIE, SUSAN  
AILEEN; MCCURRIE,  
PATRICK RAYMOND

Last Sale

\$128,000  
Jun 11, 2010

Lot Size

50.00 ft      50.00 ft  
Frontage      DepthMeasurements Available  
(See Site & Structure)

Assessed Value

\$237,000  
Based on Jan 1, 2016

Phased-In Value

\$237,000  
2020 Tax Year

## Legal Description

LT 48 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

## Property Details



## GeoWarehouse Address

6 PAXTON AVE, ST. CATHARINES, L2N5H8

## Land Registry Office

Niagara North (30)

## Owner Names

MCCURRIE, SUSAN AILEEN; MCCURRIE, PATRICK RAYMOND

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

## PIN

461910219



Support

## Site & Structure



**Lot Size**      **Area:** 2,486.46 ft<sup>2</sup> (0.057 ac)      **Perimeter:** 196.85 ft  
**Measurements:** 50.11 ft x 50.11 ft x 49.20 ft x 50.10 ft  
**Lot Measurement Accuracy:** HIGH

**Assessment 1**      **ARN :** 262906004313200

### Site

**Frontage:** 50.00 ft

**Site Area:** 2500 F

**Depth:** 50.00 ft

### Structure

**Property Description:** Single-family detached (not on water)

**Property Code:** 301

**Total Floor Area (above grade):** [Click to purchase](#)

**Phased-In Value** [Click to purchase the 4-year Phase-in Report](#)

**\$237,000**

**Assessed Value**

**\$237,000**

**2020 Tax Year**

**Based on Jan 1, 2018**

### Assessment Property Information

**Property Address:**  
 6 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY

**Legal Description:**  
 PLAN 703 LOT 48  
**Property Type:**  
 RESIDENTIAL

### Valuation And Sales Information

**Last Valid Sale Date:**

N/A

**Total Land Value:**

NA

**Last Valid Sale Amount:**

N/A

**Total Land Value Base Year:**

NA

### Residential Structure Information

**Year Built:**

1942

**Total Floor Area:**

[Click to Purchase](#)

## Valuation & Sales

### Sales History





7 Paxton Ave, St. Catharines, L2N5H7

[Suggest an address correction](#)

Owner Name

TARDIF, MARC; DIODATI, SARAH



Last Sale

**\$299,900**

Jun 02, 2017



Lot Size

**39.99 ft      70.00 ft**

Frontage

Depth

Measurements Available  
(See Site & Structure)

Assessed Value

**\$213,000**

Based on Jan 1, 2016

Phased-In Value

**\$213,000**

2020 Tax Year

## Legal Description

LT 35 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

## Property Details



## GeoWarehouse Address

7 PAXTON AVE, ST. CATHARINES, L2N5H7

## Land Registry Office

Niagara North (30)

## Owner Names

TARDIF, MARC; DIODATI, SARAH

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

## PIN

461910247



Support

## Site & Structure



Map date ©2020 Imagery ©2020, Maxar Technologies, U.S. Geological Survey



**Lot Size**  
 Area: 2,884.73 ft<sup>2</sup> (0.066 ac) Perimeter: 223.10 ft  
 Measurements: 44.82 ft x 70.40 ft x 37.11 ft x 70.92 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004312600

**Site**  
 Frontage: 40.00 ft  
 Site Area: 2800 F

Depth: 70.00 ft

**Structure**  
 Property Description: Single-family detached (not on water) Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report  
 \$213,000  
 2020 Tax Year

Assessed Value  
 \$213,000  
 Based on Jan 1, 2016

### Assessment Property Information

**Property Address:**  
 7 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY  
**Legal Description:**  
 PLAN 703 LOT 35  
**Property Type:**  
 RESIDENTIAL

### Valuation And Sales Information

**Last Valid Sale Date:**  
 06/02/2017  
**Total Land Value:**  
 NA  
**Last Valid Sale Amount:**  
 \$299,900  
**Total Land Value Base Year:**  
 NA

### Residential Structure Information

**Year Built:**  
 1932  
**Total Floor Area:**  
 Click to Purchase

## Valuation & Sales

### Sales History



8 Paxton Ave, St. Catharines, L2N5H8

[Suggest an address correction](#)

Owner Name

COLONNA, JOSEPH;  
COLONNA, BARBARA  
ANNE

Last Sale

\$130,000  
Apr 30, 2002

Lot Size

100.00 ft    55.00 ft  
Frontage                  DepthMeasurements Available  
(See Site & Structure)

Assessed Value

\$270,000  
Based on Jan 1, 2016

Phased-In Value

\$270,000  
2020 Tax Year

## Legal Description

LT 3 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

## Property Details



## GeoWarehouse Address

8 PAXTON AVE, ST. CATHARINES, L2N5H8

## Land Registry Office

Niagara North (30)

## Owner Names

COLONNA, JOSEPH; COLONNA, BARBARA ANNE

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

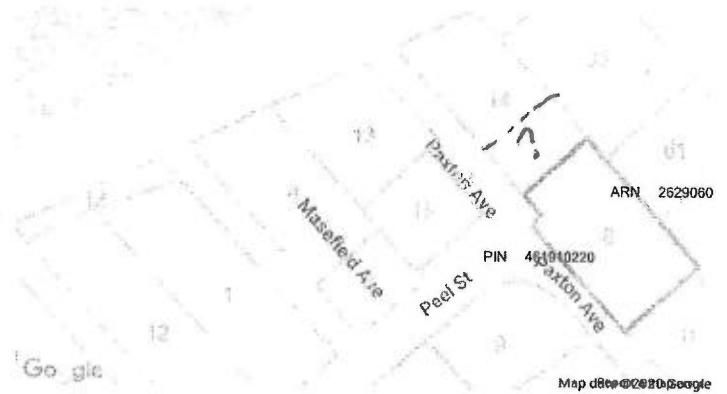
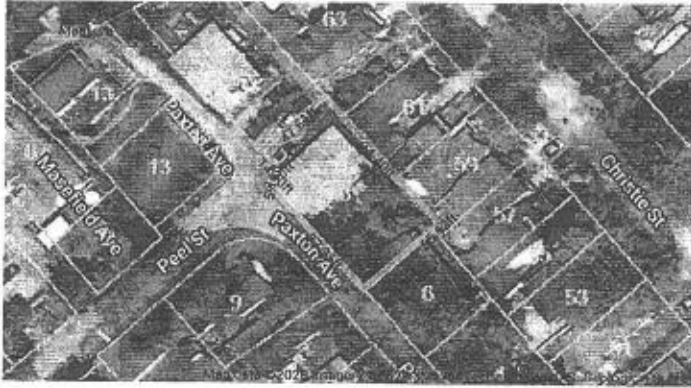
## PIN

461910220



Support

## Site &amp; Structure



**Lot Size** Area: 5,080.56 ft<sup>2</sup> (0.117 ac) Perimeter: 295.28 ft  
 Measurements: 47.61 ft x 14.40 ft x 3.16 ft x 5.19 ft x 77.35 ft x 55.12 ft x 94.40 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004313300

**Site** Frontage: 100.00 ft  
 Site Area: 5500 F

Depth: 55.00 ft

**Structure** Property Description: Single-family detached (not on water) Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report  
 \$270,000  
 2020 Tax Year

Assessed Value  
 \$270,000  
 Based on Jan 1, 2016

## Assessment Property Information

**Property Address:**  
 8 PAXTON AVE  
**Unit Number:**  
 N/A  
**Municipality:**  
 ST CATHARINES CITY  
**Legal Description:**  
 PLAN 703 LOT 3 30R 2513 PART 2  
**Property Type:**  
 RESIDENTIAL

## Valuation And Sales Information

**Last Valid Sale Date:**  
 N/A  
**Total Land Value:**  
 NA  
**Last Valid Sale Amount:**  
 N/A  
**Total Land Value Base Year:**  
 NA

## Residential Structure Information

**Year Built:**  
 1932  
**Total Floor Area:**  
 Click to Purchase

## Valuation &amp; Sales

## Sales History



9 Paxton Ave, St. Catharines, L2N5H7

[Suggest an address correction](#)

Owner Name

BOWMAN, MICHELE;  
BOWMAN, PATRICK  
RONALD

Last Sale

\$364,000  
May 08, 2020

Lot Size

60.01 ft      70.00 ft

Frontage

Depth

Measurements Available  
(See Site & Structure)

Assessed Value

\$217,000

Based on Jan 1, 2016

Phased-In Value

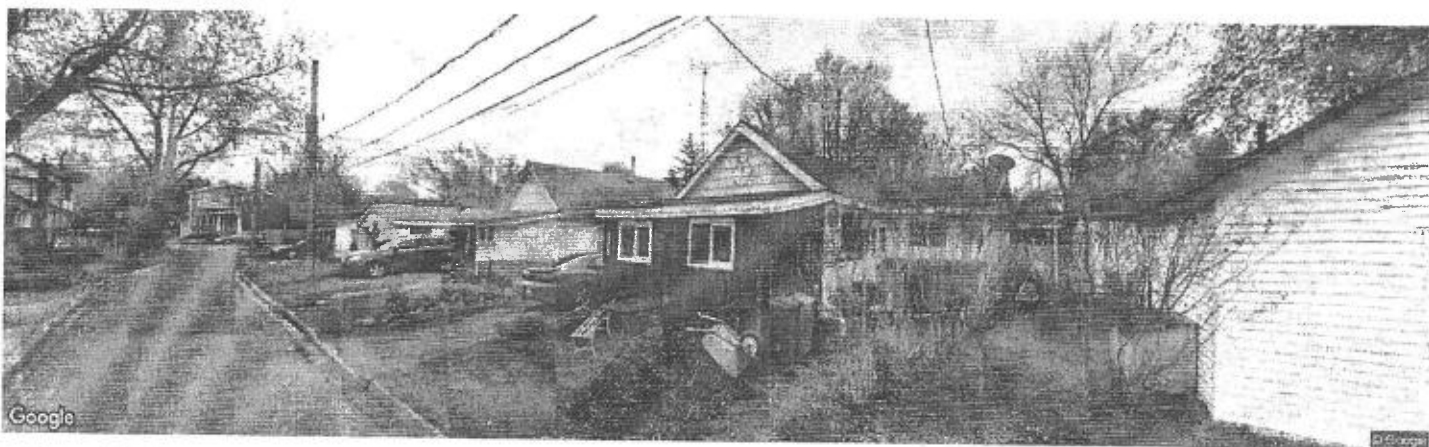
\$217,000

2020 Tax Year

## Legal Description

LT 34 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES

## Property Details



## GeoWarehouse Address

9 PAXTON AVE, ST. CATHARINES, L2N5H7

## Land Registry Office

Niagara North (30)

## Owner Names

BOWMAN, MICHELE; BOWMAN, PATRICK RONALD

## Ownership Type

Freehold

## Land Registry Status

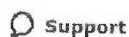
Active

## Registration Type

Certified (Land Titles)

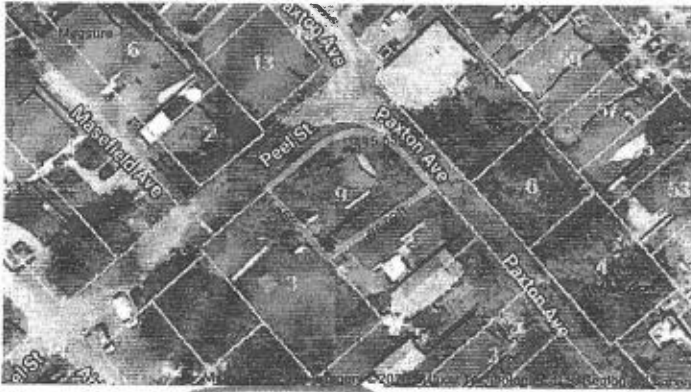
## PIN

461910246



Support

## Site &amp; Structure



Lot Size      Area: 3,670.49 ft<sup>2</sup> (0.084 ac)      Perimeter: 236.22 ft  
 Measurements: 51.65 ft x 70.92 ft x 115.65 ft  
 Lot Measurement Accuracy: HIGH

Assessment 1      ARN : 262906004312700

Site      Frontage: 60.00 ft  
 Site Area: 0 F - IRR

Depth: 70.00 ft

Structure      Property Description: Single-family detached (not on water)      Property Code: 301  
 Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report  
 \$217,000  
 2020 Tax Year

Assessed Value  
 \$217,000  
 Based on Jan 1, 2016

## Assessment Property Information

Property Address:  
 9 PAXTON AVE  
 Unit Number:  
 N/A  
 Municipality:  
 ST CATHARINES CITY  
 Legal Description:  
 PLAN 703 LOT 34  
 Property Type:  
 RESIDENTIAL

## Valuation And Sales Information

Last Valid Sale Date:  
 N/A  
 Total Land Value:  
 NA  
 Last Valid Sale Amount:  
 N/A  
 Total Land Value Base Year:  
 NA

## Residential Structure Information

Year Built:  
 1941  
 Total Floor Area:  
 Click to Purchase

## Valuation &amp; Sales

## Sales History



13 Paxton Ave, St Catharines, L2N5H9

[Suggest an address correction](#)

Owner Name

WHITTLE, MARY;  
WHITTLE, RICHARD

Last Sale

\$642,000

Sep 14, 2016



Lot Size

58.50 ft      N/A

Frontage

Depth

Measurements Available  
(See Site & Structure)

Assessed Value

\$517,000

Based on Jan 1, 2016

Phased-In Value

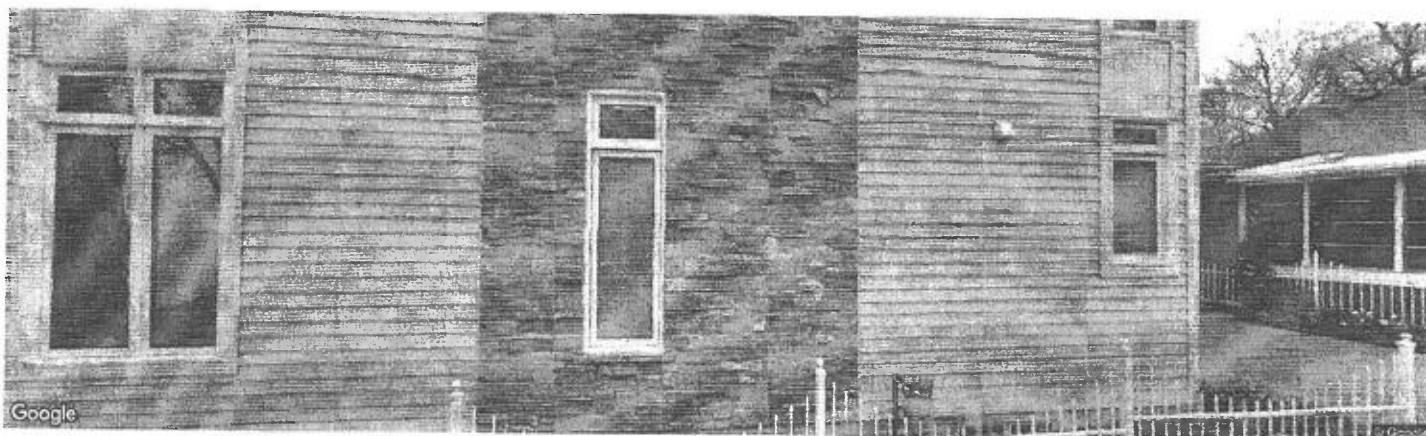
\$517,000

2020 Tax Year

## Legal Description

PT LT 4 RCP 703 GRANTHAM/LOUTH DESIGNATED AS PART 1 PLAN 30R14227 CITY OF ST. CATHARINES

## Property Details



## GeoWarehouse Address

13 PAXTON AVE, ST CATHARINES, L2N5H9

## Land Registry Office

Niagara North (30)

## Owner Names

WHITTLE, MARY; WHITTLE, RICHARD

## Ownership Type

Freehold

## Land Registry Status

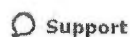
Active

## Registration Type

Certified (Land Titles)

## PIN

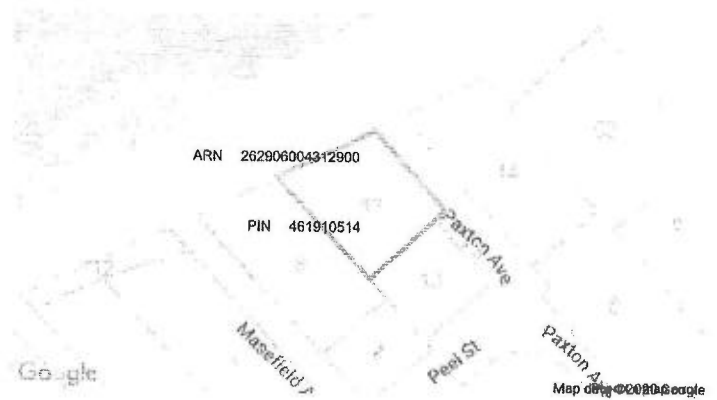
461910514



Support



## Site &amp; Structure



**Lot Size**  
 Area: 3,885.77 ft<sup>2</sup> (0.089 ac) Perimeter: 252.62 ft  
 Measurements: 60.26 ft x 76.84 ft x 57.48 ft x 58.62 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004312900

**Site**  
 Frontage: 58.49 ft  
 Site Area: 3879.31 F

57.48  
 Depth: 0.00 ft

**Structure**  
 Property Description: Single-family detached (not on water) Property Code: 301  
 Total Floor Area (above grade): Click to purchase  
 Phased-In Value Click to purchase the 4-year Phase-in Report Assessed Value  
 \$517,000 \$517,000  
 2020 Tax Year Based on Jan 1, 2016

**Assessment Property Information**  
 Property Address:  
 13 PAXTON AVE  
 Unit Number:  
 N/A  
 Municipality:  
 ST CATHARINES CITY  
 Legal Description:  
 RCP 703 PT LOT 4 RP 30R14227 PART 1  
 Property Type:  
 RESIDENTIAL

**Valuation And Sales Information**  
 Last Valid Sale Date:  
 09/14/2016  
 Total Land Value:  
 NA  
 Last Valid Sale Amount:  
 \$642,000  
 Total Land Value Base Year:  
 NA

**Residential Structure Information**  
 Year Built:  
 1927  
 Total Floor Area:  
 Click to Purchase

## Valuation &amp; Sales

## Sales History



14 Paxton Ave, St Catharines, L2N5H8

[Suggest an address correction](#)

Owner Name  
LAU, MICHELLE



Last Sale  
**\$450,000**  
Oct 01, 2014



Lot Size  
**108.63 ft    50.00 ft**  
Frontage                      Depth  
Measurements Available  
(See Site & Structure)



Assessed Value  
**\$430,000**  
Based on Jan 1, 2016

Phased-In Value  
**\$430,000**  
2020 Tax Year

## Legal Description

LT 2 RCP 703 GRANTHAM/LOUTH CITY OF ST. CATHARINES

## Property Details



## GeoWarehouse Address

14 PAXTON AVE, ST CATHARINES, L2N5H8

## Land Registry Office

Niagara North (30)

## Owner Names

LAU, MICHELLE

## Ownership Type

Freehold

## Land Registry Status

Active

## Registration Type

Certified (Land Titles)

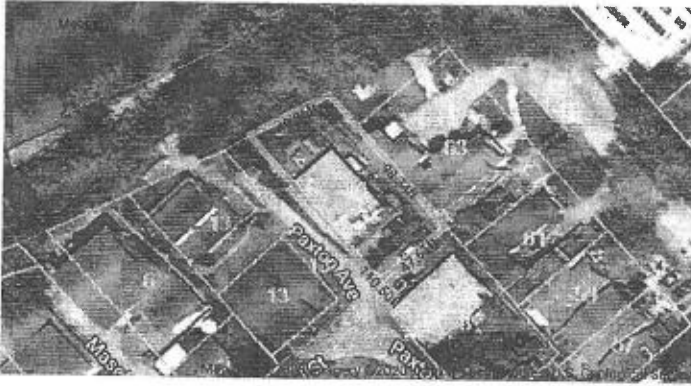
## PIN

461910208



Support

## Site &amp; Structure



**Lot Size** Area: 4,972.92 ft<sup>2</sup> (0.114 ac) Perimeter: 305.12 ft  
 Measurements: 49.36 ft x 110.50 ft x 47.61 ft x 98.34 ft  
 Lot Measurement Accuracy: HIGH

**Assessment 1** ARN : 262906004313500

**Site**

Frontage: 108.63 ft

Site Area: 5431.5 F

Depth: 50.00 ft

**Structure**

Property Description: Single-family detached (not on water)

Property Code: 301

Total Floor Area (above grade): Click to purchase

Phased-In Value Click to purchase the 4-year Phase-in Report

\$430,000

2020 Tax Year

Assessed Value

\$430,000

Based on Jan 1, 2016

**Assessment Property Information****Property Address:**

14 PAXTON AVE

Unit Number:

N/A

**Municipality:**

ST CATHARINES CITY

**Legal Description:**

PLAN 703 LOT 2 30R2513 PART 1

Property Type:

RESIDENTIAL

**Valuation And Sales Information****Last Valid Sale Date:**

10/01/2014

Total Land Value:

NA

**Last Valid Sale Amount:**

\$450,000

Total Land Value Base Year:

NA

**Residential Structure Information**

Year Built:

1930

Total Floor Area:

Click to Purchase

## Valuation &amp; Sales

## Sales History

## Section 2

City of St. Catharines Zoning By-law  
December 16, 2013

### 2.15.2 Lots Reduced by Public Acquisition

Where the area of a lot is reduced by means of an acquisition by a public agency and where such acquisition causes the lot or any building or structure existing lawfully on the lot on the date of such acquisition not to comply with the requirements of this By-law, the lot and/or any building(s) or structure(s) shall be deemed to comply with this By-law.

A building or structure may be constructed on a lot as so reduced, subsequent to the date of such acquisition, provided that all other provisions of this By-law are met.

Where a required yard has been reduced through such acquisition nothing shall prevent an addition to a building or structure, as long as the addition does not further reduce the established yard.

### 2.15.3 Rebuilding

Nothing in this By-law shall apply to prevent the restoration, repair, renovation or the replacement of any lawfully constructed building or structure existing prior to the passing of this By-law, provided that such restoration, repair, renovation or replacement will not increase the height, size, volume or change the use of such building or structure unless in compliance with this By-law.

### 2.15.4 Lots Deemed to Comply

Where a lot is created to permit the conveyance of a semi-detached, street townhouse or quadruplex dwelling unit, the lot shall be deemed to comply with the minimum landscaped open space, maximum lot coverage for accessory structures, and maximum residential parking coverage and driveway width requirements of this By-law as long as the original lot subject to the conveyance complied with these provisions prior to creation of the new lot.

## 2.16 Non-Conforming Uses

- a) This By-law shall not prevent the use of any lot, building or structure for any purpose prohibited herein if such lot, building or structure was lawfully used for such purposes on the day of the passing of this By-law provided that such lot, building or structures continues to be used for that purpose.
- b) This By-law shall not prevent the construction or use for a purpose prohibited herein of any building or structure for which a building permit has been issued and not revoked in accordance with the Building Code Act 1992 prior to the day of the passing of this By-law as long as, when constructed, the building or structure is used and continues to be used for the purpose for which it was constructed.

## 2.17 Reduced Building Line

For all zone categories, the minimum required front yard and/or minimum required exterior side yard may be reduced to the average of the established front and/or exterior side yards on abutting lots on either side of the subject lot, provided that, with the exception of the Downtown Traditional Main Street (C6) Zone, the building line is setback a minimum 1 m from the lot line to be established by any required public acquisition of lands.

- a) On a corner lot, the average of the established yard will be calculated from the immediate abutting occupied lot and the occupied lot across the road on the same side of the road.
- b) On a corner lot with no through road cross section, the average of the established yard will be calculated from the abutting lot on the same side of the road and the next adjacent lot thereto.

Previous · Next · 1 of 12

Checked 0

All · None · Page

Member Single Line display

Display Member Full

▼ at 1 ▼ per page

[Listing](#)
[Rooms](#)
[Property History](#)
[Photos](#)
☐ **13 PAXTON Avenue**  
**St. Catharines, ON L2N 5H9**

RES/Freehold/Sale/Freehold

Price: **\$979,000**

For Sale



1 / 19

MLS® #: **30793579**  
 Alt. MLS® #: **30793579**  
 Cond of Sale: **Other**  
 Region: **Niagara**  
 Municipality: **4 - St. Catharines**  
 Neighbourhood: **438 - Port Dalhousie**  
 Bldg Type/Style: **Detached/1 1/2 Storey**  
 Age/Yr Built: **51-99 Years**  
 Legal Desc: **PT LT 4 RCP 703 GRANTHAM/LOUTH PARTS 1 AND 2 ON 30R14227**  
 Sq.Ft/Source: **1,350/LBO provided**  
 Sq Ft Range: **1001 to 1500**  
 Acres/Range: **< 0.5**  
 Taxes/Year: **\$6,000/2019**  
 Irregularities: **Yes**  
 Heat: **Gas/Forced Air**  
 Water: **Municipal/**  
 Prev Price: **Expired**  
 Status: **Expired**  
 Cond Date: **08/05/2020**  
 DOM: **123**  
 Basement: **Yes**  
 Tot Bdrms: **2 (2+0)**  
 Bathrooms: **1.1**  
 Lot Front: **104.87 Feet**  
 Lot Depth: **60.13 Feet**  
 Lot Shape: **Irregular**  
 Sewer: **Sewer (Municipal)**  
 Sellers: **richard and mary whittle**  
 List SP/Brk: **HELEN ROMBOUGH, Broker / ROYAL LEPAGE NRC REALTY**  
 CrossSt/Dir: **bayview**

**Property Details**

Roof:	<b>Asphalt Shingle</b>	Yr Roof Repl:	<b>None</b>	Air Cond Type:	<b>Central Air</b>
Exterior:	<b>Aluminum Siding, Metal/Steel Siding, Vinyl Siding, Other</b>	Pool:	<b>None</b>	Laundry Access:	
Foundation:	<b>Concrete Block</b>	Ener Cert Lvl:		UFFI:	<b>No</b>
Fireplaces:	<b>1</b>	Water Meter:		Adl Mnth Fees:	
Bsmt Size/Fn/Dev:	<b>Full/Unfinished</b>	Waterfront:	<b>Direct</b>	VisitAble:	
#/Type of Garage:	<b>/None</b>	Total Parking Spaces:	<b>1</b>	Fronting On:	<b>West</b>
#/Driveway Parking/Type:	<b>1.0/ Front Yard, Other/Other</b>	Assigned Spaces:		# of Kitchens:	<b>1</b>

**Public Remarks**  
**LAKEFRONT!!! 60 foot waterfront home in the historic village of Port Dalhousie! Breathtaking sunsets on lake Ontario..views of Toronto skyline ..and waterfront views of sailboats and great lakers ..and Port Dalhousie pier and lighthouse from your waterfront porch! large patio area on main level with upper deck accessed from both bedrooms ... laundry and modern HE furnace in basement..... central air conditioning.. a short Walk to the many great restaurants and trendy coffee shops..craft brewery.shops....yacht clubs...a revitalization program for the Port Pier and shorelines will enhance the charm even more!! >>.this property is on two lots with registered separate roll numbers.. make your dream come true on either or both! Listing agent has a package of vital information regarding severance..demolition approval ..etc.....lot shape irregular.... currently a tenant occupies the home.....on a month to month basis..**

**Property Features**

Features and Amenities:  
 Area Influences: **Clear View, Level, Other, Waterfront**  
 Inclusions:  
 Exclusions:

**Tax and Financial Information**

Roll#:	<b>262906004312900</b>	Assessment:	<b>\$714,000/2020</b>	Survey:	<b>Unknown</b>
Pin#:	<b>461910513</b>	Zoning:	<b>R1</b>	HST Applicable:	<b>Included</b>
Location:	<b>Urban</b>	Fronting On:	<b>West</b>	Status Cert:	

**Condominium Information**

Property Management Contact:	<b>/</b>	Comn Elm Fee:	<b>No</b>	Locker:	
Elevator:	<b>Locker #:</b>				

**REALTOR® Information**

Appointments:	<b>THROUGH LISTING AGENT</b>	Occupant:	<b>Tenant</b>	Possession:	<b>Flexible</b>
Commission:	<b>2.5</b>	Deposit:	<b>25000</b>	Possess Date:	
Brokerage Acct:	<b>IB</b>	SPIS:	<b>No/No</b>	Under Contract:	<b>Hot Water Heater</b>
Sign:				Spec Agreement:	<b>Yes</b>
Commence Date:	<b>02/28/2020</b>	Lockbox:		Contact Exprd:	<b>No</b>
Financing:	<b>Clear</b>	Holdover Days:		CDOM:	<b>123</b>

List Brokerage 1: **ROYAL LEPAGE NRC REALTY**  
 List Salesperson 1: **HELEN ROMBOUGH, Broker**  
 Email: **helenrombough@hotmail.com**  
 L/SP Fax: **(905) 688-3178**

Brokerage Web: [www.nrcrealty.ca](http://www.nrcrealty.ca)

L/BR Phone: **(905) 688-4561**  
 L/SP Phone:  
 Salesperson Cell:

Prepared By: **PATRICK MCCURRIE**

Full Report

Date Printed: **08/13/2020**

Street Number Search is 13  
 Street Name is like 'Paxton\*'  
 Found 12 results in 0.02 seconds.

Previous · Next · 9 of 15

Checked 0

All · None · Page

Member Single Line display

Display Member Full

at 1 per page

Listing **Property History** Photos☐ **11 PAXTON Avenue**

LAND/Residential Building Lot/Sale

Price: **\$139,000****St. Catharines, ON L2N 5H9**

1 / 3 Exterior Front.

MLS® #: **XN30041737** Prev Price:  
 Alt. MLS® #: Status: **Expired**  
 Region: **Niagara** DOM: **181**  
 Municipality: **4 - St. Catharines**  
 Neighbourhood: **438 - Port Dalhousie**  
 Category/Use: **Designated/Residential Res**  
 Acreage: **< 0.5** Lot Shape:  
 Frontage: **46.45 Feet** Location:  
 Depth: **49.10 Feet** Fronting On: **West**  
 Irregularities: Chatters:  
 Zoning: **R1** Waterfront: **Direct**  
 Soil Type: Soil Test:  
 Legal Desc: **PT LT 4 RCP 703 GRANTHAM/LOUTH DESIGNATED AS PART 2 ON 30R**  
 Sellers: **ELISABETH BOEN**  
 List SP/Brk: **JIM FANNON, Salesperson / COLDWELL BANKER MOMENTUM REALTY, BROKERAGE - 271**  
 CrossSt/Dir: **Peel and Paxton at Lake Ont.**

**Property Details**Area Influences: **Beach, Clear View, Other**

Special Designations:

Services:

Wtr Supply Type:

Water:

Municipal

Sewers:

Sewer  
(Municipal)

Rec Use:

Well Capacity:

Well Depth:

Well Testing:

HST Applicable: **Yes**

Pin #:

**461910513**

Assessment:

**\$1/2014**

Develop \$ Pd:

Roll #:

**262906004312900**

Taxes:

Income Pot:

Fronting On **West****Public Remarks**

**Port Dalhousie building lot, one house from Lake Ontario with approved plans and drawings for a detached 2000 sq./ft with 2 car garage. Services at the road. Can be purchased with 13 Paxton Ave @ Peel. Demolition permit exists, pls see attachment.**

**REALTOR® Information**

**Rmks for Brokerages: Port Dalhousie building lot, one house from Lake Ontario with approved plans and drawings for a detached 2000 sq./ft with 2 car garage. Services at the road. Can be purchased with 13 Paxton Ave @ Peel. Demolition permit exists, pls see attachment.**

Appointments:

Commission:

Under Contract:

Sign:

Commence Date:

Financing:

**Go Direct****3%****Yes****01/18/2015****Seller To Take Back**

Lockbox:

Expire Date:

Holdover Days:

Occupant:

Deposit:

SPIS:

**1000****No/**

Possession:

Possess Date:

Bkg Trust:

Spec Agreement:

Contact Exprd:

CDOM:

**IMMED****NIB****No****No****0**

List Brokerage 1:

List Salesperson 1:

Email:

L/SP Fax:

List Brokerage 2:

List SP 2:

Email:

**COLDWELL BANKER MOMENTUM REALTY, BROKERAGE - 271****JIM FANNON, Salesperson****realestate@teamniagara.ca****Century 21 City Realty Inc.****BROKERAGE - 231****STEPHEN LUKAWSKI, Broker of Record****stephen@century21niagara.com**Brokerage Web: **momentumrealty.ca**L/BR Phone: **(905) 935-8001**L/SP Phone: **(905) 935-8001**Salesperson Cell: **(905) 935-8001**Brokerage Phone: **(905) 468-8222**SP Phone: **(905) 468-8222**Prepared By: **SUE MCCURRIE**

Full Report

Date Printed: **08/11/2020**

Street Number Search is 11 to 13

Street Name is like 'paxton'

Found 15 results in 0.02 seconds.

Previous · Next · 2 of 2

Checked 0

All · None · Page

Member Single Line display

Display Member Full

▼ at 1 ▼ per page

Listing Property History Photos

## 3 Considine Avenue

LAND/Residential Building Lot/Sale

Price: \$310,000

St. Catharines, ON L2N 5L2



MLS® #: 30635459  
 Alt. MLS® #:   
 Region: Niagara  
 Municipality: 4 - St. Catharines  
 Neighbourhood: 438 - Port Dalhousie  
 Category/Use: Designated/Residential  
 Acreage: < 0.5  
 Frontage: 50.41 Ft  
 Depth: 51.08 Ft  
 Irregularities:   
 Zoning: R2  
 Soil Type: Clay  
 Legal Desc: TBD BY CITY, CURRENTLY: LT 18 RCP 703  
 Sellers: GRANTHAM/LOUTH; ST. CATHARINES  
 List SP/Brk: FAMELOS, LOUIS; FAMELOS, DEBORAH  
 DANIEL PASSERO, Salesperson / RE/MAX NIAGARA  
 REALTY LTD.BROKERAGE  
 CrossSt/Dir: MAIN - JOHNSTON - CONSIDINE AVE

Prev Price:   
 Status: Cancelled  
 DOM: 52

Lot Shape: Square  
 Location: Urban  
 Fronting On: North  
 Chatters:   
 Waterfront:   
 Soil Test:

1 / 12

## Property Details

Area Influences: Beach, Cul de Sac/Dead End, Hospital, Lake/Pond, Major Highway, Marina, Park, Place of Worship, Public Transit, Quiet Area, School Bus Route, Schools

Special Designations: Other

Services: Cable, Hydro, Telephone

Wtr Supply Type:

Water:

Municipal

Sewers:

Sewer (Municipal)

Rec Use:

Well Capacity:

Well Depth:

Well Testing:

HST Applicable: Yes

Pin #:

461910172

Assessment:

\$/2018

Develop \$ Pd:

Roll #:

262906004305100

Taxes:

\$/2018

Income Pot:

Fronting On North

## Public Remarks

Opportunity Knocks! Build your dream home on Lot 3 Considine Avenue in beautiful Port Dalhousie, St.Catharines. Just steps to the beach, marina, shops and restaurants. Building lot is situated on a quiet street close to all amenities, schools and amazing views. Build your dream 2 storey home just a short walk away from absolute paradise! Don't miss out on this rare opportunity! Buyer to conduct their due diligence for lot size, use and plans. Could also be purchased with Lot 5 Considine Ave, St.Catharines. Act fast!

## REALTOR® Information

Rmks for Brokerages: Lots 3 & 5 Considine are to be sold upon Seller receiving final approval from city from pending severance application. Both lots are available to build 2 Storey home. Buyer to do all due diligence at the city re: lot size, permitted use, plans, etc. Short walk to the lake and beautiful Port Dalhousie. Drive by only - no appointments necessary. Call with any/all questions

Appointments:

THRU SHOWTIME/LISTING BROKERAGE - Occupant:

Owner

Possession:

Other

Commission:

2.5% PLUS HST

Deposit:

YES

Possess Date:

Under Contract:

SPIS:

No/No

Bkg Trust:

NIB

Sign:

Yes

Lockbox:

No

Spec Agreement: Yes

Commence Date:

02/02/2018

Expire Date:

Contact Exprd: No

Financing:

Seller To

Holdover Days:

CDOM: 52

Discharge

## VT1 Branded

List Brokerage 1: RE/MAX NIAGARA REALTY LTD.BROKERAGE

List Salesperson 1: DANIEL PASSERO, Salesperson

Email: dpassero@remaxniagara.ca

L/SP Fax: (905) 687-9494

L/BR Phone: (905) 687-9600

L/SP Phone: (905) 687-9600

Salesperson Cell: (905) 704-8783

Brokerage Web: www.remaxniagara.ca

Prepared By: PATRICK MCCURRIE

Full Report

Date Printed: 08/13/2020

Street Number Search is 3

Street Name is like 'Considine'

Found 2 results in 0.02 seconds.



Previous · Next · 1 of 2

Checked 0

All · None · Page

Member Single Line display

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▼ at 1 ▼ per page

Listing Property History Photos

## 3 Considine Avenue

LAND/Residential Building Lot/Sale

Price: \$239,900

St. Catharines, ON L2N 5L2



1 / 5

MLS® #: 30645298  
 Alt. MLS® #:   
 Region: Niagara  
 Municipality: 4 - St. Catharines  
 Neighbourhood: 438 - Port Dalhousie  
 Category/Use: Designated/Residential  
 Acreage: < 0.5  
 Frontage: 50.41 Ft  
 Depth: 51.08 Ft  
 Irregularities:   
 Zoning: R2  
 Soil Type: Clay  
 Legal Desc: TBD BY CITY, CURRENTLY: LT 18 RCP 703  
 GRANTHAM/LOUTH; ST. CATHARINES  
 FAMELOS, LOUIS; FAMELOS, DEBORAH  
 Sellers: DANIEL PASSERO, Salesperson / RE/MAX NIAGARA  
 List SP/Brk: REALTY LTD.BROKERAGE  
 CrossSt/Dir: MAIN - JOHNSTON - CONSIDINE AVE

Prev Price:   
 Status: Expired  
 DOM: 97

Lot Shape: Square  
 Location: Urban  
 Fronting On: North  
 Chatters:   
 Waterfront:   
 Soil Test:

## Property Details

Area Influences: Beach, Cul de Sac/Dead End, Hospital, Lake/Pond, Major Highway, Marina, Park, Place of Worship, Public Transit, Quiet Area, School Bus Route, Schools

Special Designations: None  
 Services: None

Wtr Supply Type:

Water:

Municipal

Sewers:

Sewer  
(Municipal)

Rec Use:

Well Capacity:

Well Depth:

Well Testing:

HST Applicable: Yes

Pin #:

461910172

Assessment:

\$/2018

Develop \$ Pd:

Roll #:

262906004305100

Taxes:

\$/2018

Income Pot:

Fronting On North

## Public Remarks

Build your dream home in beautiful Port Dalhousie, St.Catharines. Just steps to the beach, marina, shops and restaurants. Building lot is situated on a quiet street close to all amenities, schools and amazing views. Your 1200 sqft 2 Storey home with a carport is just a short walk away from absolute paradise! Don't miss out on this rare opportunity! Buyer to conduct their due diligence. Could be purchased with Lot 5 Considine Ave, St.Catharines. Act fast!

## REALTOR® Information

Rmks for Brokerages: Lots 3 & 5 Considine available for sale upon Seller receiving final approval from city from pending severance application. Both lots are available to build 2 Storey home 1200sqft with carport as per attached drawing. Entire plot at 8 Graham could be purchased - see MLS. Buyer to do all due diligence. Short walk to the lake and beautiful Port Dalhousie. Drive by only - no appointments necessary. Call with any/all questions

Appointments:

THRU LISTING BROKERAGE OR

Occupant:

Owner

Possession:

Flexible

Commission:

2.5% PLUS HST

Deposit:

Y

Possess Date:

Under Contract:

SPIS:

No/No

Bkg Trust:

NIB

Sign:

No

Lockbox:

No

Spec Agreement:

No

Commence Date:

03/25/2018

Expire Date:

Contact Exprd:

No

Financing:

Clear

Holdover Days:

CDOM:

97

VTI Branded

List Brokerage 1:

RE/MAX NIAGARA REALTY LTD.BROKERAGE

L/BR Phone: (905) 687-9600

List Salesperson 1:

DANIEL PASSERO, Salesperson

L/SP Phone: (905) 687-9600

Email:

dpassero@remaxniagara.ca

Salesperson Cell: (905) 704-8783

L/SP Fax:

(905) 687-9494

Brokerage Web: www.remaxniagara.ca

Prepared By: PATRICK MCCURRIE

Full Report

Date Printed: 08/13/2020

Street Number Search is 3

Street Name is like 'Considine\*'

Found 2 results in 0.02 seconds.



Previous · Next · 2 of 2

Checked 0

All · None · Page

Member Single Line display

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▼ at 1 ▼ per page

Listing

Property History

Photos

☐ **5 Considine Avenue**

LAND/Residential Building Lot/Sale

Price: \$310,000

**St. Catharines, ON L2N 5L2**

1 / 11

MLS® #: **30635472**  
 Alt. MLS® #:   
 Region: **Niagara**  
 Municipality: **4 - St. Catharines**  
 Neighbourhood: **438 - Port Dalhousie**  
 Category/Use: **Designated/Residential**  
 Acreage: **< 0.5**  
 Frontage: **48.73 Ft**  
 Depth: **51.08 Ft**  
 Irregularities:   
 Zoning: **R2**  
 Soil Type: **Clay**  
 Legal Desc: **TBD BY CITY, CURRENTLY: LT 18 RCP 703 GRANTHAM/LOUTH; ST. CATHARINES FAMELOS, LOUIS; FAMELOS, DEBORAH**  
 Sellers: **DANIEL PASSERO, Salesperson / RE/MAX NIAGARA REALTY LTD.BROKERAGE**  
 List SP/Brk:   
 CrossSt/Dir: **MAIN - JOHNSTON - CONSIDINE AVE**

Prev Price:   
 Status: **Cancelled**  
 DOM: **52**

Lot Shape: **Square**  
 Location: **Urban**  
 Fronting On: **North**  
 Chattels:   
 Waterfront:   
 Soil Test:   
 Rec Use:   
 HST Applicable: **Yes**  
 Develop \$ Pd:   
 Income Pot:   
 Fronting On: **North**

**Property Details**

Area Influences: **Beach, Cul de Sac/Dead End, Hospital, Lake/Pond, Major Highway, Marina, Park, Place of Worship, Public Transit, Quiet Area, School Bus Route, Schools**

Special Designations: **None**Services: **Cable, Hydro, Telephone**

Wtr Supply Type:

Water:

Municipal

Sewers:

Sewer  
(Municipal)

Rec Use:

Well Capacity:

Well Depth:

Well Testing:

Pin #:

**461910172**

Assessment:

**\$/2018**

Roll #:

**262906004305100**

Taxes:

**\$/2018****Public Remarks**

**Opportunity Knocks! Build your dream home on Lot 5 Considine Avenue in beautiful Port Dalhousie, St.Catharines. Just steps to the beach, marina, shops and restaurants. Building lot is situated on a quiet street close to all amenities, schools and amazing views. Build your dream 2 storey home just a short walk away from absolute paradise! Don't miss out on this rare opportunity! Buyer to conduct their due diligence for lot size, use and plans. Could also be purchased with Lot 3 Considine Ave, St.Catharines. Act fast!**

**REALTOR® Information**

Rmks for Brokerages: **Lots 3 & 5 Considine are to be sold upon Seller receiving final approval from city from pending severance application. Both lots are available to build 2 Storey home. Buyer to do all due diligence at the city re: lot size, permitted use, plans, etc. Short walk to the lake and beautiful Port Dalhousie. Drive by only - no appointments necessary. Call with any/all questions**

Appointments:

**THRU SHOWTIME/LISTING BROKERAGE - Occupant: Owner**

Possession: **Other**

Commission:

**2.5**

Deposit:

**YES**

Possess Date:

Under Contract:

SPIS:

**No/No**

Bkg Trust:

**NIB**

Sign:

**Yes**

Lockbox:

**No**Spec Agreement: **Yes**

Commence Date:

**02/02/2018**

Expire Date:

Contact Exprd: **No**

Financing:

**Seller To Discharge**

Holdover Days:

CDOM: **52****VT1 Branded**

List Brokerage 1:

**RE/MAX NIAGARA REALTY LTD.BROKERAGE**

List Salesperson 1:

**DANIEL PASSERO, Salesperson**L/BR Phone: **(905) 687-9600**

Email:

**dpassero@remaxniagara.ca**L/SP Phone: **(905) 687-9600**

L/SP Fax:

**(905) 687-9494**Salesperson Cell: **(905) 704-8783**Brokerage Web: **www.remaxniagara.ca**Prepared By: **PATRICK MCCURRIE**

Full Report

Date Printed: **08/13/2020**

Street Number Search is 5

Street Name is like 'Considine\*'

Found 2 results in 0.02 seconds.

Previous · Next · 1 of 2

Checked 0

All · None · Page

Member Single Line display

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Listing Property History Photos

## 5 Considine Avenue

LAND/Residential Building Lot/Sale

Price: \$239,900

St. Catharines, ON L2N 5L2



1 / 5

MLS® #: 30645299  
 Alt. MLS® #:   
 Region: Niagara  
 Municipality: 4 - St. Catharines  
 Neighbourhood: 438 - Port Dalhousie  
 Category/Use: Designated/Residential  
 Acreage: < 0.5  
 Frontage: 48.73 Ft  
 Depth: 51.08 Ft  
 Irregularities:   
 Zoning: R2  
 Soil Type: Clay  
 Legal Desc: TBD BY CITY, CURRENTLY: LT 18 RCP 703  
 GRANTHAM/LOUTH; ST. CATHARINES  
 FAMELOS, LOUIS; FAMELOS, DEBORAH  
 Sellers: DANIEL PASSERO, Salesperson / RE/MAX NIAGARA REALTY LTD.BROKERAGE  
 List SP/Brk:   
 CrossSt/Dir: MAIN - JOHNSTON - CONSIDINE AVE

Prev Price:   
 Status: Expired  
 DOM: 97

Lot Shape: Square  
 Location: Urban  
 Fronting On: North  
 Chatters:   
 Waterfront:   
 Soil Test:   
 Rec Use:   
 HST Applicable: Yes  
 Develop \$ Pd:   
 Income Pot:   
 Fronting On: North

## Property Details

Area Influences: Beach, Cul de Sac/Dead End, Hospital, Lake/Pond, Major Highway, Marina, Park, Place of Worship, Public Transit, Quiet Area, School Bus Route, Schools

Special Designations: None  
 Services: None

Wtr Supply Type:

Water:

Municipal

Sewers:

Sewer (Municipal)

Rec Use:

Well Capacity:

Well Depth:

Well Testing:

Pin #:

461910172

Assessment:

\$/2018

Roll #:

262906004305100

Taxes:

\$/2018

## Public Remarks

Build your dream home in beautiful Port Dalhousie, St.Catharines. Just steps to the beach, marina, shops and restaurants. Building lot is situated on a quiet street close to all amenities, schools and amazing views. Your 1200 sqft 2 Storey home with a carport is just a short walk away from absolute paradise! Don't miss out on this rare opportunity! Buyer to conduct their due diligence. Could be purchased with Lot 3 Considine Ave, St.Catharines. Act fast!

## REALTOR® Information

Rmks for Brokerages: Lots 3 & 5 Considine available for sale upon Seller receiving final approval from city from pending severance application. Both lots are available to build 2 Storey home 1200sqft with carport as per attached drawing. Entire plot at 8 Graham could be purchased - see MLS. Buyer to do all due diligence. Short walk to the lake and beautiful Port Dalhousie. Drive by only - no appointments necessary. Call with any/all questions

Appointments: THRU LISTING BROKERAGE OR

Occupant: Owner

Possession: Flexible

Commission: 2.5% PLUS HST

Deposit: YES

Possess Date:

Under Contract:

SPIS: No/No

Bkg Trust: NIB

Sign:

Yes

Lockbox:

No

Spec Agreement: No

Commence Date:

03/25/2018

Expire Date:

Contact Exprd: No

Financing:

Clear

Holdover Days:

CDOM: 97

## VT1 Branded

List Brokerage 1: RE/MAX NIAGARA REALTY LTD.BROKERAGE

L/BR Phone: (905) 687-9600

List Salesperson 1: DANIEL PASSERO, Salesperson

L/SP Phone: (905) 687-9600

Email: dpassero@remaxniagara.ca

Salesperson Cell: (905) 704-8783

L/SP Fax: (905) 687-9494

Brokerage Web: www.remaxniagara.ca

Prepared By: PATRICK MCCURRIE

Full Report

Date Printed: 08/13/2020

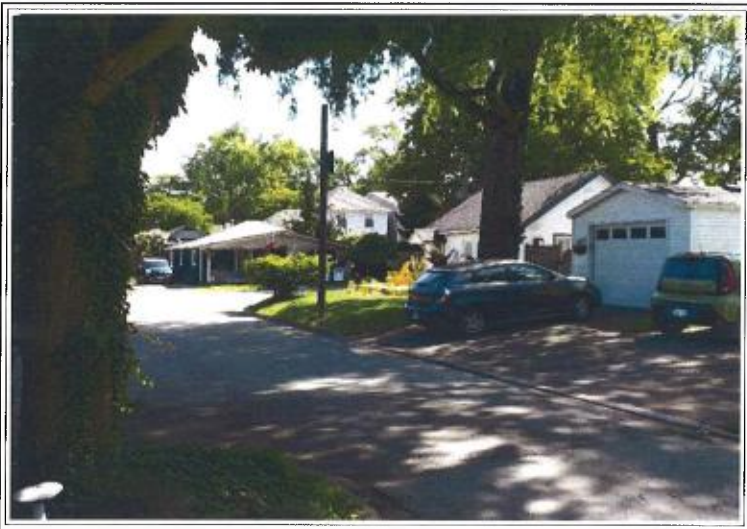
Street Number Search is 5  
 Street Name is like 'Considine\*'  
 Found 2 results in 0.02 seconds.

Borrower:	File No.: 8PaxtonStreetViews
Property Address: 8 Paxton Ave.	Case No.:
City: St. Catharines	Prov.: On. P.C.:
Lender:	



Street Views

View from top of Paxton at Bayview  
looking north toward lake.  
Note set backs on east side similar to  
subject property.



View from Peel St. to Paxton Ave.  
Note subject property at end of street.



View from Peel St. looking south along  
Paxton Ave. to Bayview  
Subject property front left side  
Large tree endangered by proposal  
beyond. Note set backs on west side of  
Paxton similar to each other.

**Munro, Elaine**

---

**Subject:**

RE: FILE NUMBER 60.81.5635 SUBMISSION NO A-45/20

---

**From:** Michel Maisonneuve < >

**Sent:** Friday, August 14, 2020 8:09 PM

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

**Subject:** FILE NUMBER 60.81.5635 SUBMISSION NO A-45/20

**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.

Good afternoon;

I reside at 3 Paxton Ave in St.Catharines and wish to comment on the above application by Joseph and Barbara Colonna.

My concern stems from the fact that the reduction in set-back requested in paragraph 2 (3 metres to 0 metres) will cause irreparable damage to the sycamore tree on the adjacent lot. I believe the design of the structure could be accommodated with the usual required set-back of three meters and should be redrawn to do so. The same holds for the set-back of the garage requested in paragraph 3.

Essentially, I cannot understand why the designer could not draw a dwelling that fits the properties (once split) without forcing them to be crammed into a small space.

I would recommend that the committee of adjustment refuse the application and send the parties back to the drawing board.

Please do not hesitate to contact me for further information.

Regards,

J.O.Michel Maisonneuve  
Lieutenant-général (ret)  
+1-

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

**Munro, Elaine**

---

**Subject:** RE: 8 Paxton Ave.

---

**From:** Jane OBrien <>  
**Sent:** Wednesday, August 19, 2020 1:26 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** 8 Paxton Ave.

**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.

Greetings:

I am writing on behalf of my husband and myself regarding the Application for Consent by Barbara and Joseph Colonna- File No. 60.84.2299.

We are alarmed that they are asking for a total of thirteen variances before the shovels have even hit the ground! There is no guarantee that they will not request more variances as the project progresses. Case in point- the monster home on Michigan Ave.

The developer added an extra story to the house and THEN asked for a variance. Why wasn't he asked to remove it?

As a resident of Port Dalhousie we are just SO TIRED of seeing city council favour the developer over the residents. We lose every time.

And this new precedent of building houses which consume 80% of the property is alarming. The windows and decks at the back of these houses will be very close to the houses behind them on Christie. Is there to be no expectation of privacy?? The Colonnas are asking for a reduction of the outdoor privacy area from 40% to 21%. This is not a minor variance.

Neither is an increase of lot coverage from 40% to 52% a minor variance.

They are requesting a minimum setback of 0 meters which will put the houses very close to the very narrow street, crowding the area right beside the lake even more.

Paxton Ave. Is in a heritage area of Port Dalhousie and that term includes the general streetscape. How do these dwellings accommodate the heritage designation? They don't.

Jane and John Spanton  
56 Bayview Dr.

**Munro, Elaine**

---

**Subject:** RE: COA 8 Paxton

**From:** Ed Smith <.>

**Sent:** Wednesday, August 19, 2020 9:30 PM

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

**Subject:** COA 8 Paxton

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

Good evening Elaine,

In regards to the 13 minor variances requested at 8 Paxton I would like to submit the following comments:

13 minor variances for a property this small seems excessive to say the least. I believe it is patently unfair and wrong to expect citizens who are not conversant with planning and building documents to provide valuable and critical inputs on a case as widespread as this.

I further believe that the recent decision taken at 6-10 Dalhousie to classify a reduction in parking spaces from 25 to 5, and to eliminate all accessible parking and to class all of this as a minor variance, calls into question the process.

How can citizens speak meaningfully about anything in light of what has happened at 6-10 Dalhousie.

I believe I have many critical comments on 8 Paxton, however above all else it is not fair of the city to expect citizens to have a good enough comprehension of a file that includes 13 minor variances.

Thank you,

Ed Smith  
Citizen  
140 Dalhousie

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



## Munro, Elaine

---

**Subject:** RE: Committee of Adjustment File No. 60.84.2299 et al

**From:** Emily Beth Spanton <>

**Sent:** Wednesday, August 19, 2020 9:46 PM

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

**Subject:** Committee of Adjustment File No. 60.84.2299 et al

**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.

City of St Catharines  
Committee of Adjustment  
[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

File No. 60.84.2299  
Submission No. B-22/20SC  
Roll No. 2629060043133000000

&

File No. 60.81.5635  
Submission No. A-45/20

&

File No. 60.81.5636  
Submission No. A-46/20

19 August 2020

I am writing you today in regards the application to sever the real property located at 8 PAXTON STREET in Port Dalhousie's Historic District, in the City of St Catharines, and the thirteen other variances requested.

I received notice of this hearing because my home is within 60 meters of the subject property.

I am opposed to the applications for the following reasons:

- A combined THIRTEEN (13) applications for minor variance for a 416.21 m<sup>2</sup> property.  
How are citizens expected to have the time and knowledge to research each variance as it applies?
- The Committee of Adjustment (in the singular) is designed to allow for minor issues as they arise, not rewrite the Official Plan.
- If severed, both properties would need variances on the minimum lot area for a detached dwelling, variance to the maximum lot coverage, and further ask for variances to allow the proposed dwellings to sit at ZERO (0) meters from the street.
- The property is located within the Port Dalhousie Heritage District, the current cottage is in keeping with the neighbourhood, the new design would not.
- The property is located on a narrow one-way street, any additional traffic would further endanger the safety of existing residents and would strain an already overburdened street with additional guest parking.

- The current aged and overburdened infrastructure can not continue to be added upon. The current sewer system, and lack of separate storm system, simply does not have the capacity to handle the existing commitments, particularly considering outstanding permits (ie condo units).
- I am concerned about the request to increase the maximum lot structure. I feel this request conflicts with the City's Climate Emergency Declaration.
- I am concerned about the lack of privacy space between the proposed buildings and the current surrounding homes.
- I am concerned about the lack of privacy by proposing ZERO (0) meter setback from the street.
- I am concerned about the request to raise the maximum height of the structure. From the drawings, it appears as though back balconies are quite close to bedrooms in existing homes.

My neighbours and I, my community, have continually been let down by this Committee and its apparent commitment to piecemealing our neighbourhood away. We are surrounded by Airbnb's with absentee owners and those who remain are considering leaving as temporary tenants do not make good, family neighbours.

We do not need yet another property overdeveloped.

Thank you for your time,

Emily Spanton  
56 Bayview Drive, St Catharines

I would ask that this email serve as my request to take part in the electronic meeting.

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



**Munro, Elaine**

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**Subject:**

RE: FILE NUMBER 60.81.5635 SUBMISSION NO A-45/20

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**From:** Barbara Maisonneuve <>

**Sent:** Tuesday, August 18, 2020 10:41 AM

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

**Subject:** RE: FILE NUMBER 60.81.5635 SUBMISSION NO A-45/20

**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.

**Subject:** FILE NUMBER 60.81.5635 SUBMISSION NO A-45/20

Dear Ms Munro;

I reside on Paxton Ave in Port Dalhousie and am sending my concerns and issues regarding the submission of plans by Joseph and Barbara Colonna for 8 Paxton Avenue.

For a considerable number of years there has been consternation and conflict over new builds, renos and re-builds in the Heritage District of Port Dalhousie. The city of St Catharines has produced and put in place a full and detailed set of "Urban Design Approved Guidelines" that, although restrictive, guarantee the integrity of this neighbourhood is maintained. That the Colonnas application BEGINS with requesting THIRTEEN variances to these established guidelines is alarming and should raise flags within the Committee of Adjustment.

Over the last few years there have been a number of instances where variances were granted in opposition to the aim of the guidelines. The result is easily visible in the construction of homes/additions that simply do not reflect the heritage character of this Port Dalhousie neighbourhood. I fear that these exceptions are now being used as precedents for new project variance requests.

The lot at 8 Paxton is large enough to accommodate two dwellings while adhering to the guidelines that specify setback (min 3metres), landscaped green space at the front (50%), maximum lot coverage (40%), etc. I see absolutely no reason why plans or designs that incorporate these guidelines cannot be created. The aesthetic would remain appealing and would complement this heritage neighbourhood.

I strongly recommend that the committee of adjustment refuse this application. If the Colannas submit a plan/design that does not require complete variance to the "Urban Design Approved Guidelines," I believe it should be considered.

I am happy to discuss or provide further information if required.

Sincerely,

Barbara Maisonneuve

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CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 19, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** B-22/20SC  
A-45/20  
A-46/20

**File:** 60.84.2299  
60.81.5635  
60.81.5636

**Subject:** 8 Paxton Avenue (to be come 8 and 10 Paxton Avenue)  
Proposed Severance and Minor Variances

## Recommendation

### Consent

That Application **B-22/20SC** by Barbara and Joseph Colonna, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
  - a. That building permit plans, including a site plan and elevations for both new lots be submitted to the Director of Planning and Building Services, or her designate, illustrating general compliance with the City's Urban Design Guidelines for Infill Housing and the Port Dalhousie Heritage Conservation District Guidelines.
  - b. That a lot drainage plan, to be prepared by an Ontario land Surveyor or Professional Engineer, be submitted to the Director of Planning and Building Services, or her designate, illustrating how runoff from all roofs, rear yards, side yards, front yards, and sump pump discharges will be accommodated without adversely affecting neighbouring properties; and
  - c. That a tree preservation and protection plan, to be prepared by a certified arborist, be submitted to the Director of Planning and Building Services, or her designate, describing how trees on neighbouring lands will be protected, including required construction setbacks and mitigation measures.
2. That the existing 1 storey detached dwelling and accessory structure be removed. Demolition permits are required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
3. That the owner shall dedicate a road widening along Paxton Avenue of 2.317 m, gratuitously, free and clear of any encumbrances as Public Highway to be known as Paxton Avenue.

4. That the owner shall submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway known as Paxton Avenue.
5. That the Owner shall pay the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing building.
6. 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.
7. 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.
8. That the applicant submit payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
9. 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.
10. That the owner obtain approval for the associated minimum lot area reduction minor variances.
11. 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.
12. 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.
13. That final approval of the concurrent Minor Variance Application be approved.
14. That all conditions of consent be fulfilled by August 26, 2021.

## **Minor Variance**

That Variances 1 and 4 of Application **A-45/20**, as outlined in the Notice of Hearing, be approved.

That Variances 2, 3, 5, 6 and 7 of Application **A-45/20**, as outlined in the Notice of Hearing, be denied.

That Variances 1 and 3 of Application **A-46/20**, as outlined in the Notice of Hearing, be approved.

That Variances 2, 4, 5 and 6 of Application **A-45/20**, as outlined in the Notice of Hearing, be denied.

## Report

### Background

The subject lands are located in the cottage area of the Port Dalhousie Heritage Conservation District. The Applicant attended the Design Review Panel on November 26, 2019 and the St. Catharines Heritage Permit Advisory Committee on January 30, 2020. The applicant has obtained heritage permits to allow for the demolition of the existing house on the lands, as well as conditional heritage permits for the two new proposed dwellings, subject to Committee of Adjustment approval of the associated severance and required variances.

### The Proposal

The Applicant proposes to demolish the existing detached dwelling and sever the subject property for the purpose of constructing two detached dwellings. The submitted plans account for a 2.317 m road widening along most of the site's frontage.

To facilitate the proposal, Application **B-22/20SC** is made to sever 201.5 square metres of land (Part 1 on the submitted sketch) for the propose of constructing a two-storey dwelling on the lands to be known as 8 Paxton Avenue. A 214.7 square-metre remnant parcel (Part 2), to be known as 10 Paxton Avenue, would be retained for the proposed construction of second two-storey detached dwelling.

The proposed new house designs for each lot would require the approval of a number minor variances to the zoning by-law. Concurrent Minor Variance Applications **A-45/20** and **A-46/20** seek relief from the City of St. Catharines Zoning By-law 2013-283 through the following variances:

Application	Variance #	Zoning Provision	Required	Proposed
<b>A-45/20</b> <b>(8 Paxton Avenue)</b>	<b>1</b>	Minimum Lot Area	232 m <sup>2</sup>	200 m <sup>2</sup>
	<b>2</b>	Minimum Front Yard	3.0 m	0 m
	<b>3</b>	Minimum Front Yard to Garage	6.0 m	4.4 m
	<b>4</b>	Minimum Setback from Front Lot Line for Platform Structure	3.0 m	0 m
	<b>5</b>	Maximum Lot Coverage	40%	52%
	<b>6</b>	Minimum Outdoor Privacy Zone Area	40%	21%
	<b>7</b>	Maximum Height	7.5 m	7.75 m
<b>A-46/20</b>	<b>1</b>	Minimum Lot Area	232 m <sup>2</sup>	210 m <sup>2</sup>

<b>(10 Paxton Avenue)</b>	<b>2</b>	Minimum Front Yard	3.0 m	0 m
	<b>3</b>	Minimum Setback from Front Lot Line for Platform Structure	3.0 m	0 m
	<b>4</b>	Maximum Lot Coverage	40%	50%
	<b>5</b>	Minimum Outdoor Privacy Zone Area	40%	20%
	<b>6</b>	Maximum Height	7.5 m	8.075 m

## Location and Site Description

The lands are located on the north side of Paxton Avenue, at the terminus of Peel Street. The existing property is 472.2 m<sup>2</sup> in size and contains a one-storey detached dwelling. The property is located within the cottage area of the Port Dalhousie Heritage Conservation District and is surrounded by other detached dwellings.

## Circulation of Application

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

## Planning Policy Context

### Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1 thereof. Detached dwellings are permitted in this designation at a density generally ranging from 20 to 32 units per hectare. The proposed 2-unit development would exceed this maximum density threshold due its smaller lot size (42 units per hectare), however the severed lands would be similarly sized to other lots in the Port Dalhousie cottage area, which is characterized by small lots and this established character is codified in special zoning provisions for this area.

### Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood, Special Provision 6 (R2-6). Detached dwellings are a permitted use in this zone. Special Provision 6 applies to all lots with the cottage area, generally bound by Considine Avenue, Bayview Avenue, and Christie Street. The cottage area zoning includes reduced lot size and rear yard setback requirements, along with a reduced height limit of 7.5m and a requirement to provide landscaped amenity space. The proposed new homes would require a number of variances, though it is noted that some of these variances are triggered by or worsened by the land dedication for the road widening.

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

Consent Application **B-22/20SC** requests to sever the subject property to allow for the replacement of the exiting detached dwelling with two new dwellings on separate lots. While the lots exceed the target density range for low density residential development, they are generally in keeping with the established lotting pattern of the Port Dalhousie Cottage area. Staff also acknowledge that the required land dedication for a road widening has the effect of reducing the size of both new lots, which would otherwise meet the minimum lot size requirements for the cottage area. Two detached dwelling units are considered by staff to be an appropriate development option for this site.

In order to ensure that development of the new lots proceeds in a manner that maintains compatibility with the surrounding neighbourhood, ensures the protection of neighbouring trees, and appropriately accounts for drainage impacts, a development agreement will be required as a condition of approval. Staff do have concerns with the proposed development plans for the two lots, which will be discussed in the Minor Variances section of this report, and the development agreement and associated controls on site and building design, drainage and tree protection will address these concerns through modified or alternate building plans. With respect to tree protection, staff have concerns with the proximity of proposed construction and excavation on Part 1 relative the large tree located on the front corner of 6 Paxton Avenue and will require the completion of a tree protection plan as part of the development agreement.

Staff are satisfied that the proposed severance is consistent with the Official Plan in that that lots are sufficiently sized and configured so as to accommodate appropriate and compatible house construction. The concurrent Minor Variance Applications considered in this report will address the lot area deficiencies and the number of deficiencies associated with the proposed building plans. There are no anticipated adverse impacts as a result of the severances.

Staff are supportive of Consent Application **B-22/20SC**, subject to the conditions outlined in the recommendation.

### 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 considered by the DRP in November of 2019. DRP members acknowledged that modern buildings can be compatible with and contribute positively to a heritage area. DRP members noted that proposed amenity areas appeared usable and had no concerns with the proposed setback reductions in this context. The proposal was considered by the DRP to be appropriate for the area. The applicant was cautioned about the impacts of a likely road widening along the project frontage, but the DRP also advised that they would be supportive of a front yard setback reductions to offset the impact of such a widening. The DRP supported the severance as proposed.

## **Minor Variances**

### **Lot Area: Variance 1 of Applications A-45/20 and A-46/20**

In order to facilitate the proposed severance, the Applicant has requested a reduction in the minimum required lot area for both new lots. Lot areas of 200 m<sup>2</sup> and 210 m<sup>2</sup> are requested for Parts 1 and 2 respectively, whereas a minimum lot area of 232 m<sup>2</sup> is required. The intent of the 232 m<sup>2</sup> minimum lot area is to ensure that any new lots in the cottage area are compatibly sized within this distinct area. Staff acknowledge that the existing lot area of 472.2 m<sup>2</sup> is sufficiently large to accommodate two lots that meet the lot size requirement and that the requested lot area reduction is a function of the 2.317 m road widening that has the effect of bringing the lot areas below the by-law's size threshold. Staff also note that neighbouring properties 6 Paxton and 11 Paxton (vacant) are also similarly sized at 230 m<sup>2</sup> and 209 m<sup>2</sup> respectively. The intent of the 232 m<sup>2</sup> minimum lot area includes ensuring that any new lots in the cottage area are compatibly sized within this distinct area. Staff have no concern with the proposed lot area reductions. Staff are satisfied that the proposed lots represent an efficient and appropriate development pattern for these lands.

Staff are of the opinion that Variance 1 of each of application 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 both of Applications **A-45/20** and **A-46/20**.

### **Front Yard Setback: Variance 2 of Applications A-45/20 and A-46/20**

The applicant has requested a front yard setback of 0 m for both new buildings, whereas the zoning by-law requires a minimum setback of 3.0 m. Staff note that the portion of the proposed structures that is setback 0 m is limited to a small retaining wall that forms part of the front entry to each house. The front building walls would be setback 1.2 and 1.5 m from the new front property line after the road widening lands are dedicated to the City.

The intent of the 3.0 m minimum front yard setback requirement includes providing sufficient space in front of the dwelling for landscaping and access, providing an adequately sized transition space between the public and the private realm, and providing a continuity of building setbacks within the streetscape. The proposed dwellings, even with the road widening, would both sit closer to the street than any of the other homes on

the north side of Paxton. The closeness of the proposed dwelling to the street would be exacerbated by the proposed two-storey height, which would adversely disrupt the proportions of the streetscape and block views up the street. Staff have no concerns with a minor retaining wall encroaching into the required front yard but any two-storey dwelling would be more appropriately setback so as to align with the neighbouring two-storey dwelling at 14 Paxton.

Staff are of the opinion that Variance 2 of each of application are not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not desirable for the appropriate use of the lands. As such, staff recommend denial of Variance 2 of both of Applications **A-45/20** and **A-46/20**.

#### **Garage Setback: Variance 3 of Application A-45/20**

The applicant has requested a garage setback of 4.4 m for the proposed now dwelling on Part 1, whereas the zoning by-law requires a minimum setback of 6.0 m for garages. The intent of the 6.0 m garage setback includes ensuring that the driveway space in front of the garage will be sufficiently sized to accommodate a parked vehicle without that vehicle overhanging the public right-of-way, and minimizing the visibility and prominence of garage doors within the streetscape. In this proposal, the proposed driveway depth of 4.4m is insufficient to accommodate most vehicles. For reference a Honda Civic is 4.6 m long and the City's minimum parking space depth is 5.2 m. Further, as proposed, the dwelling does not appear to accommodate an appropriately-sized parking space to meet the parking requirements of the by-law. The garage is to be counted at the required parking space, the interior garage width would need to be at least 3.5 m, which does not appear to be the case.

The garage placement on Part 1 is recessed well behind the front wall of that home, it also sits in front of the front façade of neighbouring 6 Paxton. A garage placement that sits in line with or behind the neighbouring dwelling would be more appropriate and desirable.

Staff are of the opinion that Variance 3 of application A45/20 is not in keeping with the general intent of the Official Plan and Zoning By-law, is not minor in nature, and is not desirable for the appropriate use of the lands. As such, staff recommend denial of Variance 3 of both of Application **A-45/20**.

#### **Platform Structure Front Setback: Variance 4 of Application A-45/20 and Variance 3 of Application A-46/20**

The applicant has requested a front yard setback of 0 m to the front porch (platform structure) for both new buildings, whereas the zoning by-law requires a minimum setback of 3.0 m. The proposed front platform structures are both proposed to be created using concrete retaining walls with side-facing steps leading to the driveway. The requested 0 m setback is from the new front property line, after the 2.317 m road widening, and would place the porch in line with the location of the existing house on the site and in line with the wooden porch at neighbouring 14 Paxton. Provided that the front porch remains uncovered and limited in height to not more than 1.0 m, as proposed, staff have no



concerns with this requested variance. The limited height and absence of roof structure and associated supports will allow the front porches to better blend in with the surrounding landscape.

Staff are of the opinion that Variance 4 of Application A-45/20 and Variance 3 of Application A-46/20 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 4 of Application **A-45/20** and Variance 3 of Application A-46/20, subject to the recommended limitations on height and coverings.

**Building Coverage: Variance 5 of Application A-45/20 and Variance 4 of Application A-46/20**

The applicant has requested increases in the maximum permitted lot coverage for both new two-storey dwellings. Building coverages of 52% and 50% have been requested for Lots 1 and 2 respectively, where as the maximum permitted lot coverage is 40%. Staff acknowledge that the road widening reduces the lot area for both dwellings, however, staff also note that both lots would still not have complied with the 40% coverage requirement without the road widening as each would have a coverage of approximately 44%.

The cottage area zoning standards are intended to facilitate the development of modestly sized homes on small lots, consistent with the established character of the Port Dalhousie cottage area. The intent of the 40% maximum building coverage provision includes ensuring that sites are not over developed, ensuring that there is adequate space for landscaping, amenities and drainage on site, and ensuring some continuity in the scale of the built form relative to the parcel size. It is the opinion of staff that the proposed dwellings represent an over development of these lands and that they will be out of scale with the character of the street and not in keeping with the intent of the cottage area zoning provisions. As a function of the proportionally large building footprints, the sites also do not provide an adequately-sized outdoor amenity space (see below).

Staff are of the opinion that Variance 5 of Application A-45/20 and Variance 4 of Application A-46/20 are not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not desirable for the appropriate use of the lands. As such, staff recommend denial of Variance 5 of Application **A-45/20** and Variance 4 of Application **A-46/20**.

**Outdoor Privacy Zone: Variance 6 of Application A-45/20 and Variance 5 of Application A-46/20**

Within the Port Dalhousie Cottage area, lots are required to include outdoor privacy zones. The minimum size of these outdoor privacy zones is 40% of the total floor area of the dwelling unit. The privacy zone must be an uninterrupted outdoor area at grade, must have at least one dimension of 4.5 m, and shall not be located in the front yard.

The proposed dwelling units each have a rear yard outdoor privacy zone, the size of which are roughly equal to 21% and 20% of the total floor area proposed for Lots 1 and 2

respectively according to the application. Staff cannot not confirm the precise size or requirements of the outdoor privacy area without additional information on the floor are of each proposed homes and additional dimensions for the rear yard.

The intent of the 40% outdoor privacy zone standard in the cottage area is the ensure that each home, while on smaller lots, is still afforded with a proportionately-sized private outdoor amenity space. The outdoor privacy zone standard also replaces a typical rear yard setback, allowing homes in the cottage area to also provide their amenity space in side yards as these lots are often very shallow. The proposed outdoor privacy zones, which supplemented by balconies, is significantly undersized relative to the side of the proposed dwellings and inconsistent with the intended built form to open space relationships intended for the cottage area. The requested outdoor privacy area size reduction a function of the overdevelopment of these lots.

Staff are of the opinion that Variance 6 of Application A-45/20 and Variance 5 of Application A-46/20 are not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not desirable for the appropriate use of the lands. As such, staff recommend denial of Variance 6 of Application **A-45/20** and Variance 5 of Application **A-46/20**.

#### **Building Height: Variance 7 of Application A-45/20 and Variance 6 of Application A-46/20**

The applicant has proposed increased building heights of 7.75 m and 8.075 m for Parts 1 and 2 respectively, while the zoning by-law limits height in the cottage area to 7.5 m. The reduced building height permissions is a reflection of the established character of the cottage area with the intent of maintaining a low-rise, modestly-scaled built fabric. The new dwellings would appear to be taller than any of the designated heritage structures fronting onto Paxton Avenue and the proposed building placement closer to the street further exacerbates the impact of the additional height on the street.

Staff are of the opinion that Variance 7 of Application A-45/20 and Variance 6 of Application A-46/20 are not in keeping with the general intent of the Official Plan and Zoning By-law, are not minor in nature, and are not desirable for the appropriate use of the lands. As such, staff recommend denial of Variance 7 of Application **A-45/20** and Variance 6 of Application **A-46/20**.

## **Conclusion**

Having regard for the matters under Section 53 of *The Planning Act*, staff are of the opinion that approval of Application **B-22/20SC** will allow for the creation of two appropriately-sized lots that can reasonably accommodate the construction of compatible detached dwellings, subject to the undertaking of a development agreement to address the details of building and site design. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined herein.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-45/20** and **A-46/20** would in part be keeping

with the general intent of the Official Plan and Zoning By-law, would in part be minor in nature, and would in part be desirable for the appropriate use and function of the lands. Staff recommend approval of variances for lot area reduction and platform structure setback, but recommend denial of the remaining variances.

**Prepared and Submitted by:**

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

Scott Ritchie  
Urban Design Planner

**Approved by:**

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

Judy Pihach  
Manager, Planning Services

## Munro, Elaine

---

**Subject:** RE: Committee of Adjustment Notices and Applications - 8 Paxton, City of St. Catharines, for the August 26/20 CofA Hearing

**From:** Sarah Mastroianni <smastroianni@npca.ca>

**Sent:** Monday, August 3, 2020 1:20 PM

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

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

**Subject:** RE: Committee of Adjustment Notices and Applications - 8 Paxton, City of St. Catharines, for the August 26/20 CofA Hearing

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Hello Elaine and Wil,

Please use NPCA's comments offered earlier this year for these applications.

*(next page)*

Thank you.

**Sarah Mastroianni**

**Senior Watershed Planner**

Niagara Peninsula Conservation Authority

250 Thorold Road West, 3rd Floor

Welland, Ontario L3C 3W2

Phone: 905 788 3135 (ext. 249)

Fax: 905 788 1121

email: [smastroianni@npca.ca](mailto:smastroianni@npca.ca)

### NPCA Watershed Explorer

Thank you for your email. Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. NPCA enforcement, permitting and planning functions are continuing to operate, however there may be delays in receiving responses to inquiries or complaints due to staff restrictions and remote work locations. Updates with regards to NPCA operations and activities can be found on our website at [www.npca.ca/our-voice](http://www.npca.ca/our-voice), the NPCA Facebook page at <https://www.facebook.com/NPCAOntario> and on Twitter at [https://twitter.com/NPCA\\_Ontario](https://twitter.com/NPCA_Ontario).

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>.

### NPCA Watershed Explorer



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905.788.3135 | Facsimile 905.788.1121 | [www.npca.ca](http://www.npca.ca)

April 20, 2020

Our File No.: PLCON202000374

BY E-MAIL ONLY

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

Attention: Elaine Munro, Secretary-Treasurer

Subject: Applications for Consent and Minor Variance for 8-10 Paxton Ave  
(B-22/20, A-45/20 and A46/20)

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The Conservation Authority has reviewed the above noted applications and offers the following comments and recommendations for your hearing.

These applications have been made to facilitate the creation of a new residential building lot known as 8 Paxton Avenue. Each lot is proposed to have a new dwelling.

The subject lands are situated along a section of the Lake Ontario Shoreline that is regulated by the NPCA. In particular, the subject lands fall within the Regulatory Erosion Hazard limit identified along this section of the shoreline. As such, development of these lands will be subject to the Authority's Regulation of Development, Interference with Wetlands and Alterations to Shoreline and Watercourses (O. Reg. 155/06). These policies require all new development be setback from the flooding, slope stability and erosion hazards identified along the lake front unless these hazards have been appropriately mitigated to the Authority's satisfaction. To adequately mitigate the Erosion Hazard, proper shoreline protection is typically installed along the lake frontage of a property.

The subject lands are set back quite far from the shoreline and are separated from the lake by several other residential lots. As the subject properties do not have lakefront ownership, shoreline protection in this instance is not required.

**Conclusion:**

Given the above, please be advised that the NPCA offers no objections to the approval of these applications. As the lots fall within the NPCA's regulated area, Work Permits from this office for any works proposed on each lot will be required.

I trust the above will be of assistance to you. Please do not hesitate to call should you have any further questions in this matter. Please send notice of the Committee's decision.

Yours truly,

A handwritten signature in black ink that reads "S. Mastroianni".

Sarah Mastroianni,  
Senior Watershed Planner  
(905) 788-3135, ext. 249



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Committee of Adjustment Notices and Applications - 8 Paxton, City of St. Catharines, for the August 26/20 CofA Hearing  
**Date:** Tuesday, August 4, 2020 9:12:02 AM

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**From:** Richer, Chloe  
**Sent:** Tuesday, August 4, 2020 9:07 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** RE: Committee of Adjustment Notices and Applications - 8 Paxton, City of St. Catharines, for the August 26/20 CofA Hearing

Hi Elaine,

Thank you for your email regarding 8 Paxton Avenue. I can confirm that a heritage permit application was approved for the property in January 2020; please find attached the approved plans, which appear to match those submitted for the Committee of Adjustment Electronic Hearing.

I have also attached the SChPAC minutes from their January 2020 meeting for your records. If you have any questions, please let me know!

Thanks again,  
Chloe

**Chloe Richer** BA, MScPI  
Heritage Planner  
**Email:** [cricher@stcatharines.ca](mailto:cricher@stcatharines.ca)  
**Tel:** 905.688.5601 x1710

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**Elaine Munro** ACST  
Committee Secretary and Planning Technician  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)  
**Tel:** 905.688.5601 x1715

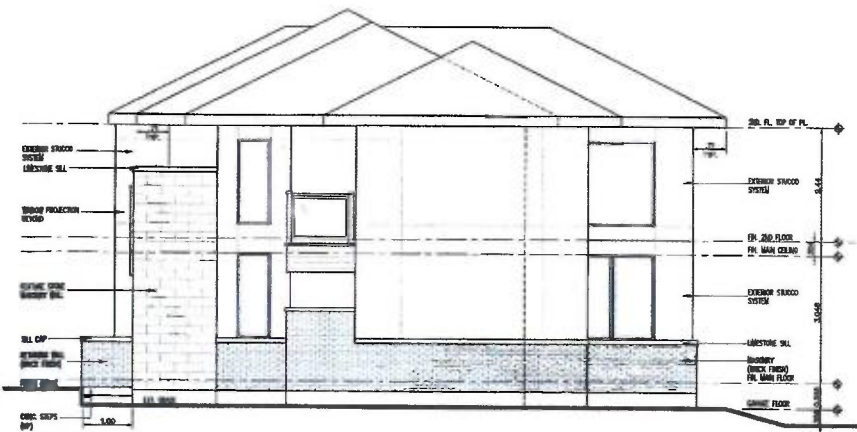
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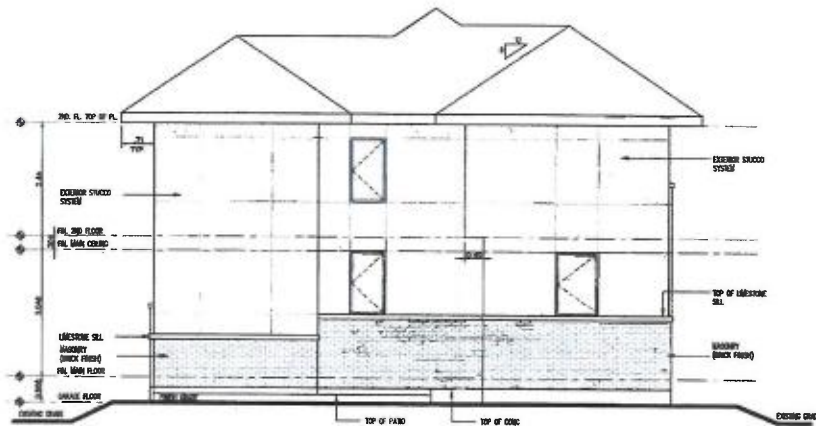
Unit B Proposed Front Elevation

Scale 1/80



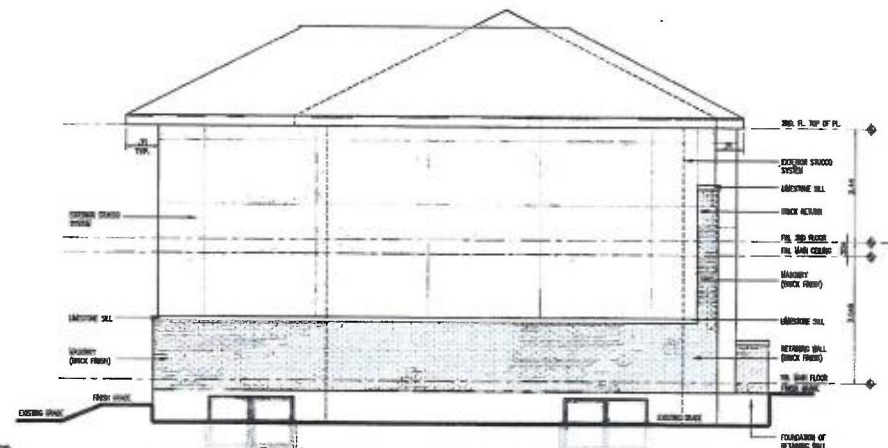
Unit B Proposed Right Elevation

Scale 1/80



Unit B Proposed Rear Elevation

Scale 1/80



Unit B Proposed Left Elevation

Scale 1/80

## HERITAGE PERMIT

Recommended by: SCHPAC

Date: Jan. 30, 2020

Approved by: Tami Kibay, Director PBS

Date: Jan. 31, 2020

Unit B Proposal 'B'



JOSEPH G.A.  
COLONNA  
ARCHITECT INC.



# St. Catharines Heritage Permit Advisory Committee

## Minutes

Thursday, January 30, 2020

Burgoyne Woods Room at 4:30pm

### Attendance:

David Bergen  
John Crawley  
Robert De Wolfe  
Andrew Humeniuk  
Brian Narhi  
Holly Washuta

### Regrets:

Dr. John Bacher

### Absent:

Peter Connolly

### Staff Liaison:

Chloe Richer, Heritage Planner, Planning and Building Services  
Connor Wright, Planning Co-op Student, Planning and Building Services

### Council:

Councillor Carlos Garcia

- 
1. **Call meeting to order (Chair)**  
Robert De Wolfe called the meeting to order at 4:34pm
  2. **Recognition of Traditional Territories**
  3. **Additions / Deletions to the Agenda**  
None.
  4. **Motion to approve the agenda**

Moved by: Brian Narhi

"That the SChPAC ratify and adopt the Agenda for this SChPAC meeting held on January 30, 2020, copies having been previously distributed."

**CARRIED**

**5. Motion to adopt the minutes of the previous meeting**

Moved by: Holly Washuta

"That the Minutes from the SChPAC meeting of December 19, 2019, and the and the Demolitions Rating System Sub-Committee Minutes from December 5, 2019, be approved."

**CARRIED**

**6. Presentations (invited guests)**

- Vincent Covatta, Project Supervisor, City of St. Catharines, and Mark Shoalts, P. Eng., Shoalts Engineering, Regarding Item 8.1
- Tim Sinke, Regarding Item 8.2
- Joseph Colonna, Regarding Item 8.3
- Ashley Given, Regarding Item 8.4

**7. Business arising from the minutes**

None.

**8. Business**

**8.1 Montebello Park Bandshell (Queen Street HCD)**

Owner(s): City of St. Catharines

Agent(s): Vincent Covatta, Project Supervisor, City of St. Catharines

File No.: N/A

- Maintenance of bandshell, including replacing decking, structural repairs to floor, replacing column covers with more historically appropriate material, repairs and painting of soffit and fascia, and repainting railing.

Mr. Covatta gave overview of the maintenance projects proposed for the Montebello Park Bandshell. Mr. Shoalts provided further detail from his Condition Assessment on the structure and explained that due to the City's budget, PVC is proposed to replace the existing synthetic material surrounding the columns, though more appropriate materials are to be used elsewhere (e.g., when replacing the existing plywood decking).

Moved by: Brian Narhi

"That the St. Catharines Heritage Permit Advisory Committee receive the Condition Assessment and presentation on the Montebello Park Bandshell proposed maintenance projects."

**CARRIED**

**8.2 7 Shelley Avenue (Port Dalhousie HCD)**

Owner(s): Up 21 Enterprises

Agent(s): Tim Sinke

File No.: 19 115260 HERT

- Proposed partial demolition of front porch and rear addition, new two-storey rear addition and relocation on site.

Tim Sinke provided some background information on the property, including that a previous application for demolition was recommended to be denied by the Committee and ultimately denied by Council.

Mr. Sinke provided an overview of the current proposal to the Committee. He advised that the new addition would be easy to differentiate from the existing house. The cladding would be different on the new addition while the existing house would be refaced with cladding similar to original. The building would be moved forward on site. The Committee did not feel that the addition is subordinate to the original structure. One member expressed their opinion that the addition is not sympathetic. The Committee largely disagreed with Mr. Sinke that the roofline of the new addition was appropriate. Mr. Sinke referenced the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change, as contemporary additions may be appropriate. Additionally, he referenced a similar yet larger addition at 7 Abbey Avenue. Chloe Richer provided the specific language used in the Guidelines regarding additions that interpret historically derived styles versus use contemporary design.

Moved by: David Bergen

"That the St. Catharines Heritage Permit Advisory Committee request a revision to the design of the addition submitted that is more sympathetic to the existing cottage structure, specifically:

1. An alternate roof type; and
2. Cladding of the original structure that replicates the original cladding (pebble-dash)."

**CARRIED**

**8.3 8 Paxton Avenue (Port Dalhousie HCD)**

Owner(s): Joseph & Barbara Colonna

Agent(s): N/A

File No.: 20 100222 HERT

- Proposed construction of two new residential buildings pending a severance. A heritage permit application for the demolition of the existing building was previously approved.

Mr. Colonna summarized the proposals, and advised there are two proposals due to feedback from the Design Review Panel regarding the potential for a future road widening on Paxton Avenue. Chloe Richer clarified that there is no road widening currently planned. The Committee was generally supportive of both proposals and had few concerns.

The Committee discussed the roof height and the requirement for approval of a severance. The members agreed that they have no issue with the proposed height as long as the proposal is approved by the Committee of Adjustment.

Moved by: Holly Washuta

“That the St. Catharines Heritage Permit Advisory Committee recommend approval of the heritage permit application for 8 Paxton Avenue, for the construction of two new residential buildings pending Committee of Adjustment approvals (e.g., a severance).”

**CARRIED**

**8.4 18 Shelley Avenue (Port Dalhousie HCD)**

Owner(s): Peter and Ashley Given

Agent(s): N/A

File No.: 20 100388 HERT

- Proposed addition of second storey and covered wood front porch to c. 1965 dwelling. Demolition of existing garage and rear porch. Proposed materials include the original brick, aluminum siding and stone.

Ashley Given summarized the proposal. The building footprint will remain the same. A Committee member confirmed the existing house does not contribute to the heritage character of the surrounding area, as per the Port Dalhousie Heritage Conservation District Guidelines for Conservation and Change. Chloe Richer explained that there are different guidelines for additions to heritage buildings (pre-1950), non-heritage buildings and new construction in Port Dalhousie.

This was understood by the Committee and as such, the Committee was supportive of the proposed addition.

Moved by: Holly Washuta

“That the St. Catharines Heritage Permit Advisory Committee recommend approval of the heritage permit application for 18 Shelley Avenue, for the demolition of the existing garage and rear porch, and the addition of a second storey and covered wood front porch to the circa 1965 dwelling.”

**CARRIED**

**9. Information/Correspondence**

- Supporting information for Montebello Park Bandshell (Queen Street HCD).
- Supporting information for 7 Shelley Avenue.
- Supporting information for 8 Paxton Avenue.
- Supporting information for 18 Shelley Avenue.

**10. Date of next meeting**

Thursday, February 27, 2020

**11. Motion to Adjourn**

The meeting adjourned at 6:20pm

Committee Members should advise Chloe Richer (905-688-5601 ext. 1710) or [cricher@stcatharines.ca](mailto:cricher@stcatharines.ca) if they are unable to attend the meeting or did not receive the item(s) noted in the agenda.

# **Appendix A: Sub-Committee Minutes**

## **Demolitions Rating System Sub-Committee**

### **Minutes**

**Thursday, January 30, 2020**

**Atrium Room at 3:30pm**

#### **Attendance:**

Brian Narhi  
David Bergen

#### **Absent:**

Peter Connolly

#### **Staff Liaison:**

Chloe Richer, Heritage Planner, Planning and Building Services  
Connor Wright, Student Planner, Planning and Building Services

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1. **Call meeting to order (Staff Liaison)**  
3:36pm
2. **Recognition of Traditional Territories**
3. **Additions / Deletions to the Agenda**  
None.
4. **Motion to approve the agenda**

Moved by: David Bergen

"That the Demolitions Rating System Sub-Committee ratify and adopt the agenda for this Demolitions Rating System Sub-Committee meeting held on Thursday, January 30<sup>th</sup>, 2020, copies having been previously distributed."

**CARRIED**

5. **Motion to adopt the minutes of the previous meeting**

Moved by: Brian Narhi

"That the Minutes from the Demolitions Rating System Sub-Committee meeting of December 5, 2019, be approved."

**CARRIED**

## **6. Business**

### **6.1 Appointment of Sub-Committee Chair**

Moved by: Brian Narhi

"That the Demolitions Rating System Sub-Committee appoint David Bergen as Chair for the 2020 to 2022 term."

**CARRIED**

### **6.2 Appointment of Sub-Committee Vice-Chair**

Moved by: David Bergen

"That the Demolitions Rating System Sub-Committee appoint Brian Narhi as Vice-Chair for the 2020 to 2022 term."

**CARRIED**

### **6.3 Review and update of the Demolitions Rating System**

Chloe Richer briefly summarized the proposed Demolitions Rating System, incorporating suggestions made at the December 2019 Sub-Committee meeting. Sub-Committee members discussed various changes to the Rating System, recorded by Ms. Richer to revise prior to the next Sub-Committee meeting. The Sub-Committee discussed potentially electing a designate to fill out the form for any given property. Members felt that the whole Committee should complete the forms instead, rather than one designate.

Members agreed to test two versions of the Rating System on several heritage houses previously proposed for demolition to gain a sense of their accuracy and viability. The Sub-Committee may then vote on the superior version of the system and make a recommendation to the St. Catharines Heritage Permit Advisory Committee.

Moved by: David Bergen

"That the Demolitions Rating System Sub-Committee receive the revised Demolitions Rating System."

**CARRIED**

7. **Date of next meeting**  
Thursday, February 27<sup>th</sup>, 2020

8. **Motion to Adjourn**

Moved by: Brian Narhi

"That the Demolitions Rating System Sub-Committee meeting be adjourned at 4:23pm."

**CARRIED**



April 22, 2020

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

**Attention: Elaine Munro**

File# 60.84.2299, 60.81.5635 and 60.81.5636

Re: 8 and 10 Paxton Ave

In response to your correspondence dated April 17, 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](http://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**

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

39 York Street  
8 Paxton Avenue

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

**Sent:** Monday, August 10, 2020 8:54 AM

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

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

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

Hi Elaine

Email 1

Cogeco has no issue or concerns with these applications.

Thanks

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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



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Memorandum

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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: August 7, 2020

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

---

**B-22/20SC – 8 Paxton Avenue**

Comment:

- Be advised that building permits are required for the proposed 2 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-33/20SC – 34 Greenwood Avenue**

Comment:

- Be advised that building permits are required for the proposed Semi Detached Dwelling on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-34/20SC – 3 Clifford Street**

Comment:

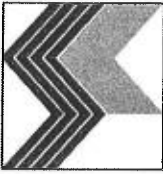
- Be advised that building permits are required for the proposed 1 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling and Inground Pool are to be removed. Demolition permits are required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.



**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-22-20SC**



August 17, 2020

**ENGINEERING FILE 300-36**

**Hearing Date:** August 26, 2020

**Applicant:** Barbara & Joseph Colonna

**Location:** 8 Paxton Avenue

**ENGINEERING SERVICES** Paxton Avenue

**Water:** 150mm (6") C.I.

**Sanitary Sewer:** 200mm (8") (~2.0m depth)

**Storm Sewer:** None

**Sidewalks:** None

**Road Allowance Width:** 20.12m

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

**Comment(s):** It is noted that the Applicant proposes to sever Part 1 for the proposed construction of a 2-storey detached dwelling to be known as 8 Paxton Avenue. A remnant parcel (Part 2) to be known as 10 Paxton Avenue is to be retained for construction of an additional 2-storey detached dwelling.

**Roads**

Paxton Avenue is considered a Local road in the City's Official Plan with a desired right-of-way width of 20.0m. The City recognizes that although these streets within Port Dalhousie are current deficient in widths, we take these opportunities with new developments to obtain what's possible in accordance with previous obtained widths. To maintain consistency on Paxton Avenue, the City shall obtain a **2.32m (7.6')** widening as reflected on the Owner's Severance Application Sketch and in accordance with a deed and measure not on Plan 30R-1690, gratuitously, free and clear of any encumbrances to be known as Pubic Highway Paxton Avenue. The Owner shall have a draft reference plan prepared and submitted to the City for review and approval prior to the plan being deposited in the Land Registry Office.

**Sidewalks and Curbs**

Paxton Avenue does not currently have sidewalks or curbs 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 Paxton Avenue. Understanding that Paxton Avenue 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 this application.

### **Engineering Services**

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision occasionally do not have suitable drainage outlets in place. Although an individual lot drainage plan is a requirement for review and approval at the building permit stage, it shall be required as a condition of severance to ensure that the lots can convey drainage flows to a suitable outlet and do not adversely affect abutting properties, nor the City boulevard, prior to the lots being created.

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 Paxton Avenue, sump pump flows and roof leaders shall be required to discharge to grade at the front yards, and shall be identified as to how on the prepared lot drainage plan, in accordance with the Property Standards By-law (2014-248).

The Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the water and sewer service laterals currently in use for the existing dwelling, to confirm they do not conflict with any existing abutting and/or future lot lines. This service shall be completed prior to both the severance finalization or demolition permit issuance, whichever comes first. If these services are determined to conflict with existing abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit so as not to allow conflicts to exist. The Owner shall pay the City the fees required to install new water, sanitary and storm sewer services for the new lot from the City owned sewer main and watermain to the front property line during the building permit process.

**Condition(s):** Prior to final certification of the severance application, the Applicant shall;

- Dedicate a road widening along Paxton Avenue of 2.32m, gratuitously, free and clear of any encumbrances as Public Highway to be known as Paxton Avenue;
- Prepare by an Ontario Land Surveyor or Professional Engineer, a Lot Drainage plan for review and approval; and
- Pay the fee for City crews to locate, trace, inspect and document the sewer and water laterals servicing the existing dwelling; and
- If determined existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay to the City the fees required to install new water and sewer services from the City mains to the individual front property lines in order for each lot to be serviced independently;

Prepared by:



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

c. James Denham, PBS (email only)



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

---

Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/2  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,



Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

---

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

Steve Bittner  
Transportation Technologist

**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

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# **COMMENTS**

**A-69/20 (60.81.5659)**

**31 Meredith Drive**

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



**Munro, Elaine**

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**Subject:**

RE: File No. 60.81.5659

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**From:** Mary Ann Kudumija < >

**Sent:** Tuesday, August 4, 2020 2:29 PM

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

**Subject:** File No. 60.81.5659

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

Good afternoon,

This email is in regard to File No. 60.81.5659, Submission No. A-69/20 in the application for a minor variance from Kimball Legros and Vanessa Ferretti.

My name is Mary Ann Kudumija, and I am the owner and resident of 20a Meredith Drive. I have no issues or concerns with their application and fully support the changes they are seeking to make to their property. If you have any questions for me, please feel free to contact me at home at 905-.

Thank you,

Mary Ann Kudumija

Sent from my iPhone

**Munro, Elaine**

---

**Subject:**

RE: pool variances

**From:** Lorenzo Dapice < >

**Sent:** Wednesday, August 5, 2020 6:20 AM

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

**Subject:** pool variances

**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 whom it may concern

my name is lorenzo dapice from 29 meredith dr, st catharines regarding the property at 31 meredith dr i am not in agreement with the drawing because is very close from my fence i have garden of vegetal tomato ct. last time he had a pool he drain all the chlorine water on my back yard and my tomato plant die a 1.2192 meter is not very much. and plus he need to make his on fence thank you feel free to call me at 905- thank you very much lorenzo dapice,,,

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

**Munro, Elaine**

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**Subject:**

RE: Notice of Hearing: File No. 60.81.5659 Submission No. A-69/20

**From:** Jacqueline Mason <>

**Sent:** Wednesday, August 19, 2020 3:02 PM

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

**Subject:** Notice of Hearing: File No. 60.81.5659 Submission No. A-69/20

**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.

Without Prejudice:

re: 31 Meredith Drive, St. Catharines.

My husband Richard Mason and I have some concerns about this request.

1. Why is there a minor variance for the garage and shed needed? Would there not have been a building permit obtained before construction?
2. Why do they have to increase the size of the pergola?
3. Why does the pool have to be 21 feet? Is a 15 or 18 ft. not more advisable, considering the amount of water that is needed for a 21 ft. above ground pool? Would it not conform more to lot coverage requirements?
4. There is no visible plan showing on where they plan to drain the water from back washing and winterizing, so where do they plan on draining it onto the adjoining properties?
5. Have they got a boundary survey showing the property lines, if not then we believe that they should have done so before erecting these buildings.

We object to the Minor Variance and the changes to the pergola size and the size of the pool, that allowing this request is setting a dangerous precedent for the future. If there were no permits applied for before these 2 buildings were constructed they were in violation of the by-laws.

Yours Truly;

Richard S. Mason and Jacqueline Helen Mason owners of 12 Lanark Cres. St. Catharines Ontario L2M 6C9

Jackie Mason

email address:

Have a great day, keep smiling, and the world will smile back!

## Munro, Elaine

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

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**From:** Doug Crown <doug.crown@cogeco.com>  
**Sent:** Monday, August 10, 2020 9:20 AM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 26/20 CofA Hearing - Email 2

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

Hi Elaine  
Email 2

31 Meredith, 84 Permilla and 59 Niagara

Cogeco has one comment for these applications -  
192-194 Glendale Ave.

Cogeco has a pedestal on city property between 190 and 192 Glendale. If this requires relocation due to this development. The developer/Owner will be responsible for 100% cost recovery for the relocation.

Thanks

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.



**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

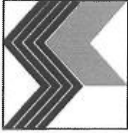
That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/2  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,

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

Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

---

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

Steve Bittner  
Transportation Technologist

**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

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# **COMMENTS**

**B-33/20SC (60.84.2310), A-70/20  
(60.81.5660) & A-71/20 (60.81.5661)**

**34 Greenwood Avenue**

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



CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 21, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** B-33/20SC  
A-70/20  
A-71/20

**File:** 60.84.2310 (34 Greenwood Avenue)  
60.81.5660 (34A Greenwood Avenue)  
60.81.5661 (34B Greenwood Avenue)

**Subject:** 34 Greenwood Avenue (to become 34A and 34B Greenwood Avenue)

## Recommendation

### Consent

That Application **B-33/20SC** by Gerald Rosenfeld and 5001884 Ontario Limited, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 34 Greenwood Avenue addressing the following conditions:
  - a. That building permit plans, including a site plan and elevations for Parts 1 and 2 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 individual driveway widths for each of Parts 1 and 2 not exceed 2.75 metres.
2. That the existing detached dwelling and accessory structure be removed. Demolition permits are required and work shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
3. That the Owner have prepared a Reference Plan for review and approval by the City identifying the Part(s) along Greenwood Avenue to be dedicated to the City as Public Highway.
4. That the Owner have submitted and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Greenwood Avenue.
5. That the Owner have prepared by an Ontario Land Surveyor or Professional Engineer, a Lot Drainage plan for review and approval prior to a Final Certificate being issued.
6. 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.
7. 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.



8. 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.
9. That the Owner submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
10. That the Owner submit payment of 5% of the appraised value of Part 1, 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'.
11. 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.
12. 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.
13. That final approval of the concurrent Minor Variance Applications be approved.
14. That all conditions of consent be fulfilled by August 26, 2021.

## Minor Variance

That Variances 1 and 3 on Applications **A-70/20** and Variance 2 on **A-71/20** by Gerald Rosenfeld and 5001884 Ontario Limited, as outlined in the respective Notices of Hearing, be approved.

That Variance 2 of Application **A-70/20** by Gerald Rosenfeld and 5001884 Ontario Limited, as outlined in the Notice of Hearing, be denied. Staff recommends that in lieu of the requested reduction of the minimum front yard setback from 12.98 metres to 8.2 metres, a reduction from 12.98 metres to 6.68 metres be approved.

That Variance 1 of Application **A-71/20** by Gerald Rosenfeld and 5001884 Ontario Limited, as outlined in the Notice of Hearing, be denied. Staff recommends that in lieu of the requested reduction of the minimum front yard setback from 12.98 metres to 12.19 metres, a reduction from 12.98 metres to 10.58 metres be approved.

## Report The Proposal

The Applicant proposes to demolish the existing detached dwelling at 34 Greenwood Avenue, which would be replaced by two new semi-detached dwelling units to be known as 34A and 34B Greenwood Avenue. The existing lot will be severed into two parcels (one new lot 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>B-33/20SC</b>	Part 1	341.4 m <sup>2</sup>	Part 2	341.4 m <sup>2</sup>

	(34A Greenwood Avenue)		(34B Greenwood Avenue)	
--	------------------------	--	------------------------	--

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

Application	Variance #	Zoning Provision	Required	Proposed
<b>A-70/20</b> 34A Greenwood Avenue (Part 1)	1	Minimum Setback from an Interior Lot Line for a Platform Structure (not adjacent to a common wall)	1.2m	0m
	2	Front Yard Setback	12.98m	8.2m
	3	Required Parking for Accessory Dwelling Unit	1 parking space	0 parking spaces
<b>A-71/20</b> 34B Greenwood Avenue (Part 2)	1	Front Yard Setback	12.98m	12.19m
	2	Required Parking for Accessory Dwelling Unit	1 parking space	0 parking spaces

## Location and Site Description

The subject property is located on the south side of Greenwood Avenue, between Bunting Road and Rosedale Avenue. The property is surrounded by detached dwellings.

The property is currently occupied by a detached dwelling an accessory building, 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 E9 thereof. Semi-detached dwellings are permitted in this designation at a density range of 20 to 32 units per hectare. The proposed two semi-detached dwelling units represent a density of about 29 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 – Traditional Neighbourhood (R2). 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 Application **B-33/20SC** request to sever the subject property for the purpose of constructing two semi-detached dwelling units; each of the new units will be under separate ownership. Both proposed lots meet the zoning by-law requirements for lot area and lot frontage. As stated above, the proposed density of about 29 units per hectare meets the requirements of the Official Plan. 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 zoning deficiencies. There are no anticipated impacts as a result of the severances.

Staff are supportive of Consent Application **B-33/20SC** subject to the conditions outlined recommendation 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 questioned the appropriateness of the proposed culvert setback and whether it would be more desirable to reroute the culvert. DRP members expressed concerns with the proposed building setback and that the streetscape will be dominated by parked cars. Recommended that the building be moved up to the street. DRP members also noted that driveways should be limited to a single car width and that front porches should be made wider to provide usable seating space.

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

- i. That driveways be limited to a single car width;
- ii. That a landscaped area be provided between the two driveways; and
- iii. That porches be widened to the outer limits of the ground floor windows.

The submitted plans have incorporated these recommendations. As a condition of consent, staff will be requiring the Applicant to enter into a development agreement with the City to insure that the dwellings are built in general accordance with the submitted plans.

## **Road Widening**

Greenwood is designated a Local road per the City's Official plan with a desired right-of-way width of 20.12m. Its current width along this section is deficient at about 15.24m.

As per the Garden City Plan, Council is committed to achieving "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 current 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 for road widenings and bring roads up to standards to accommodate future City utilities (storm sewer, upgraded water main 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, staff are recommending as a condition that a 1.52m strip of land across the frontage of the subject property be dedicated as Public Highway Greenwood Avenue to obtain half of the desired road allowance width of 18.28m rather than a 20.0m ultimate width.

## **Minor Variances**

### **Variance 1 of Application A-70/20**

The applicants are proposing to construct a platform structure (porch) on the front of Part 1 (34A Greenwood Ave). The platform structure is proposed to be built with a 0 metre setback from the mutual lot line between Part 1 and Part 2. Since there is no common wall abutting this platform structure it should be located 1.2 metres from the lot line. This situation is caused by having to stagger the semi-detached units due to underground infrastructure in the rear yard. Staff finds this variance to be minor in nature and desirable for the appropriate use of the subject lands. Since this porch will be at the front of the dwelling, there is minimal concern about privacy impacts because 34B Greenwood Ave has primary outdoor amenity space in the rear yard. Staff are satisfied that this reduction is in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend approval of Variance 1 on Application A-70/20.

### **Variance 2 of Applications A-70/20 and Variance 1 of Applications A-71/20**

The Applicants are requesting a decrease to the required front yard for both proposed dwelling units. For Part 1 (34A Greenwood), the applicants are proposing a front yard of setback of 8.2 metres. For Part 2 (34B Greenwood Ave), the applicants are proposed a front yard setback of 12.1 metres. The average – and required – front yard for this property is 12.98 metres.

The front yards that are being sought do not take into account the 1.52 metre road widening that staff are recommending as a condition of consent. Therefore, for reasons that will be outlined below, staff recommend approval of a front yard of 6.68 metres for Part 1 and a front yard of 10.58 metres for Part 2.

The buried infrastructure in the rear of the subject property also cuts across the neighbouring property to the west – 32 Greenwood Avenue. This has forced the dwelling on 32 Greenwood Ave to be built with a substantial front yard setback of 25.24 metres. The neighbouring property to the east – 36 Greenwood Avenue – has a rather shallow front yard of 2.22 metres. These two extremes have resulted in an average front yard of 12.98 metres. The location of the underground infrastructure on 34 Greenwood Avenue prevents the proposed dwellings to be built at the average front yard, and actually necessitates staggering as proposed. Staff finds the variances, as amended by staff, to be minor in nature and desirable for the appropriate use of the subject lands.

The intent of the averaging provision in the Zoning By-law is to maintain a level of consistency in front yard setbacks in residential neighbourhoods. This improves the streetscaping of the city as a whole, and maintains a consistent separation between the private and public realms on a street-by-street basis. As stated above, the underground infrastructure on both the subject and neighbouring properties distorts the average front yard. That said, efforts have been made to still maintain a level of consistency with the neighbourhood. Greenwood Street is predominantly made up of dwellings with varying setbacks from the street, some with front driveways and other with side driveways. While not meeting the average of immediate neighbouring properties, the proposed semi-detached dwellings are still in keeping with the surrounding neighbourhood and therefore maintain a consistent streetscape. 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 recommend denial of Variance 2 for Application A-70/20 as requested, but recommend approval of a front yard of 6.68 metres instead. Staff further recommend

denial of Variance 1 for Application A-71/20 as requested, but recommend approval of a front yard of 10.58 metres instead. Both of these amended variances will accommodate the recommended road widening.

### **Variance 3 of Applications A-70/20 and Variance 2 of Applications A-71/20**

The Applicants are requesting that the required parking space for an interior accessory dwelling unit be reduced from one space to zero spaces for 34A Greenwood Avenue (Part 1) and 34B Greenwood Avenue (Part 2).

Zoning By-law 2013-283 requires a minimum of one parking space for a detached dwelling, and one additional space for an interior accessory dwelling unit. These spaces are permitted to be in tandem.

Section 5.4.2 of the GCP states that the City may consider the reduction or elimination of vehicular parking requirements where transit is readily available, and where reduced vehicular parking will not aggravate the existing parking supply, nor result in unacceptable levels of spill-over parking in adjacent areas. The subject property is within walking distance of numerous transit stops in the area, including a transfer point at the corner of Bunting Road and Queenston Street, providing transit services. There is also on street parking available along both sides of Greenwood Avenue which provides parking for visitors or local residents when available. The reduction of one parking space per dwelling unit is not expected to impact the parking supply in the area, nor cause unacceptable spillover parking in the neighbourhood. Staff are of the opinion that the requested parking reduction maintains the intent of the Official Plan.

The parking requirements of the Zoning By-law are to ensure sufficient parking is provided on the subject lands for the residential units. Each lot, currently has one parking space in front of the dwelling which is adequately sized to serve as a parking space for the principal dwelling unit. Part 2 (34B Greenwood Ave) has a driveway that could potentially accommodate two vehicles, but due to the reduced depth caused by the road widening, the proposed driveway does not meet the minimum required depth for 2 parking spaces to be in tandem (10.4 metres). Staff are satisfied that there is a sufficient supply of on-street parking and alternative transportation methods, causing no adverse impact on the neighbourhood. Staff are of the opinion that the requested reductions are minor in nature and maintains the intent of the Zoning By-law and the Official Plan. Staff are recommending approval of the variances.

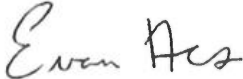
## **Conclusion**

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-33/20SC** is consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-70/20** and **A-71/20** 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, subject to the changes proposed for Variance 2 on Application A-70/20 and Variance 1 on Application A71/20, as outlined in the recommendation.

**Prepared and Submitted by:**

A handwritten signature in cursive script that reads "Evan Acs".

Evan Acs  
Planner I

**Approved by:**

A handwritten signature in cursive script that reads "Judy Pihach".

Judy Pihach  
Manager, Planning Services



**Munro, Elaine**

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

34 Greenwood Avenue

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

**Sent:** Monday, August 10, 2020 9:23 AM

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

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

<p><b>CAUTION:</b> 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>
--

Hi Elaine

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](mailto:Doug.crown@cogeco.com)

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



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Memorandum

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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: August 7, 2020

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

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**B-22/20SC – 8 Paxton Avenue**

Comment:

- Be advised that building permits are required for the proposed 2 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-33/20SC – 34 Greenwood Avenue**

Comment:

- Be advised that building permits are required for the proposed Semi Detached Dwelling on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-34/20SC – 3 Clifford Street**

Comment:

- Be advised that building permits are required for the proposed 1 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling and Inground Pool are to be removed. Demolition permits are required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.

**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-33/20SC**



August 17, 2020

**ENGINEERING FILE 300-36**

**Hearing Date:** August 26, 2020

**Applicant:** Gerald Rosenfeld & 5001884 Ontario Limited

**Location:** 34 Greenwood Avenue

**MUNICIPAL SERVICES**      **Greenwood Avenue**

**Water:** 150mm (6") P.V.C.

**Sanitary Sewer:** 200mm (8") Clay

**Storm Sewer:** None (road-side ditching)  
Private 400mm (15") drainage culvert bisecting the southern portion of the property accommodating flows from the south-east

**Sidewalks:** None

**Road Allowance Width:** 15.24m±

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

**Comment(s):** It is noted that the Applicant proposes to sever Part 1 creating a new lot to be known as 34A Greenwood Avenue for the purposes of severing one half of the proposed semi-detached dwelling. A remnant parcel (Part 2) will be the other half of the proposed semi-detached dwelling for residential purposes.

**Roads** Greenwood is designated a Local road per the City's Official plan with a desired right-of-way width of 20.12m. Its current width along this section is deficient at 15.24m±.

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 for road widenings and bring roads up to standards to accommodate future City utilities (storm sewer, upgraded water main 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 therefore required that the City obtain a 1.52m road widening along the frontage to be dedicated as Public Highway Greenwood Avenue to obtain half of the desired road allowance width of 18.28m rather than a 20.0m ultimate width.

Sidewalks do not exist along the frontage of the subject property at this time, although a City pathway / trail does exist to the west. Understanding that Greenwood Avenue is not currently on a priority sidewalk list for construction in the near future, the City will not require a cash-in-lieu payment for future sidewalks with this application.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Although an individual lot drainage plan is a requirement for review and approval at the building permit stage, it shall be required as a condition of severance to ensure that the lots can convey drainage flows to a suitable outlet and do not adversely affect abutting properties, nor the City boulevard, prior to the lots being created. 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 Greenwood Avenue, sump pump flows and roof leaders shall be required to discharge to grade towards the front yards only, and shall be identified as to how on the prepared lot drainage plan. The abovementioned private culvert shall be maintained throughout the construction process, and the required grading plan identify a minimum setback of 1.50m from the centre of the private culvert to any proposed permanent structure to ensure adequate clearance is maintained.

The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwelling are suitable for reuse and do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property through a Plumbing Only Permit.

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

Condition(s):

Prior to consent, the Applicant shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Greenwood Avenue to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Greenwood Avenue; and
- Prepare by an Ontario Land Surveyor or Professional Engineer, a Lot Drainage plan for review and approval prior to a Final Certificate being issued; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer and water laterals on private property and the Bloomfield Avenue right-of-way; and
- Complete, if deemed necessary, any relocation of the existing sanitary lateral and/or water service on private property if the existing services cross existing or future side lot lines; and
- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property that may be required to eliminate services crossing existing or future side lot lines;

Prepared by: 

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

c. James Denham, PBS (email only)



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/2  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,

A handwritten signature in dark ink, appearing to read "Jim Denham", with a long, sweeping horizontal line extending to the right.

Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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

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# **COMMENTS**

**A-72/20 (60.81.5662)**

**84 Permilla Street**

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



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 19, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** A-72/20

**File:** 60.81.5662

**Subject:** 84 Permillla Street

### Recommendation

That Application **A-72/20** by Christy Noelle Hanna and John Bongard Hanna, as outlined in the Notice of Hearing, be approved.

### Report

#### The Proposal

The Applicants propose to construct a single-storey addition at the rear of the existing detached dwelling on the property known as 84 Permillla Street. Accordingly, Application A-72/20 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for a reduction of the minimum interior side yard setback from 1.2 metres to 0.54 metres.

#### Location and Site Description

The subject property is located on the north side of Permillla Street, east of Ambrose Street. The property is surrounded by detached dwellings to the west, north and east, and Cameron Park is located to the south.

#### Circulation of Application

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

#### Planning Policy Context

##### Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6/7. Detached dwellings with accessory structures 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 proposed reduction in interior side yard setback for the proposed addition is requested to allow the addition to be built in line with the existing dwelling. The existing dwelling is already setback only 0.54 metres from the property line. The addition is not expected to cause or increase any negative impacts on neighbouring properties if it is permitted at the same setback. As such, the reduction of the setback from 1.2 metres to 0.54 metres is considered minor.

The variance will facilitate the construction of an addition that will increase the living space in the existing dwelling without compromising the character of the surrounding area. The continuation of the established setback is considered desirable for the appropriate use of the land.

Section 7.1 (c) of the Garden City Plan states that development and redevelopment shall be evaluated having regard for building, site, streetscape and neighbourhood context sensitive design to ensure the integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood.

In part, the minimum side yard setback requirement in the Zoning By-law is intended to ensure appropriate spacing of neighbouring buildings, as well as to allow space for adequate rear yard access and, if necessary, lot drainage. The existing dwelling is already setback 0.54 metres from the property line, so there is no further impact to access by allowing the addition to match the existing setback. There is sufficient space along the opposite side of the dwelling to allow access to the rear yard. Further, a lot grading plan will be required to be submitted for approval at the building permit stage to ensure lot drainage is not impacted. The spacing of the buildings is an established situation that is not exacerbated by the addition. The intent of both the Official Plan and Zoning By-law are maintained.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-72/20** 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:**



Charlotte McEwan  
Planner I

**Approved by:**



Judy Pihach M.C.I.P., R.P.P.  
Manager of Planning Services



**Munro, Elaine**

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

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

**Sent:** Monday, August 10, 2020 9:20 AM

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

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

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

Hi Elaine  
Email 2

31 Meredith, 84 Permilla and 59 Niagara

Cogeco has one comment for these applications -  
192-194 Glendale Ave.

Cogeco has a pedestal on city property between 190 and 192 Glendale. If this requires relocation due to this development. The developer/Owner will be responsible for 100% cost recovery for the relocation.

Thanks

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.

**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/2  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

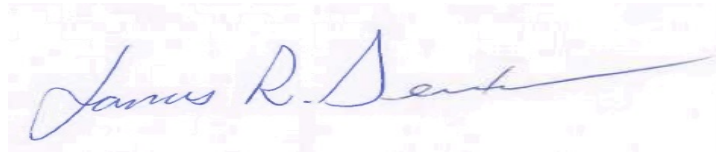
A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,



Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)





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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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

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# **COMMENTS**

**B-34/20SC (60.84.2311), A-73/20  
(60.81.5663) & A-74/20 (60.81.5664)**

**3 Clifford Street**

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: ACTION: REQUEST for electronic copy of Notice of Hearing and plans for 3 Clifford St. St. Catharines  
**Date:** Friday, August 21, 2020 4:51:53 PM

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**From:** Shelly Dunn <>  
**Sent:** Thursday, August 20, 2020 2:55 PM  
**To:** Munro, Elaine <emunro@stcatharines.ca>  
**Subject:** ACTION: REQUEST for electronic copy of Notice of Hearing and plans for 3 Clifford St. St. Catharines

**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,

We received notice earlier this month by mail and I have been delayed in completing comments. I note that comments were due yesterday \*Aug 19th, for the electronic hearing, but **can you confirm whether written comments can still be received and considered, or must I attend the hearing on August 26th to provide them?**

I would like to forward this package to family currently working out of province. Could you kindly forward an electronic copy to my email () including the Notice of Hearing and all associated drawings (plan view, cross-sectional, longitudinal) for the following file numbers (including the specific proposed dwelling plan for parcel 3B/Part 1 on 3 Clifford):

- File No. 60.84.2311; Submission No. B-34/20SC
- File No. 60.81.5663; Submission No. A-74.20
- File No. 60.81.5664; Submission No A-73.20

**We do not oppose the new development** but want to ensure that it does not increase runoff onto our property or diminish our enjoyment of our pool and backyard by increasing permanent shading. I am also seeking clarification on the following:

1. copy of plans (plan view, longitudinal and cross-sectional) for the proposed dwelling on parcel referred to as 3 Clifford, Part 1 / 3B adjacent to 5 Clifford Street.
2. confirm whether the dwelling design proposed at this time can be changed after this notice of hearing has wrapped up; if so, would there be public process for comment on any proposed changes, such as changing a plan from single to multiple story?
3. clarify whether the ditch on the west side of Clifford Street will be maintained or infilled? The drawing currently lacks top-of-bank detail on the street side of the ditch.
4. clarify how many feet/metres does the back of the new proposed dwelling extend beyond the existing (now demolished) former residence.

On a separate but related note, it was discouraging to see that the house was not stripped of salvageable items such as doors, windows, etc. for reuse, before it was demolished. It would appear to be in direct conflict with the municipal/regional objective of recycling to redirect items *away* from landfills; has the municipality considered requiring salvaging as a pre-requisite condition of future demolition permits to reduce landfilling?

I appreciate your follow-up and any clarification you can provide on the above-noted points, including an indication whether they can be taken into consideration in this hearing on Aug 26th or must I register to participate to provide them on that date for consideration?

Kind thanks in advance,  
Shelly

Shelly Dunn  
5 Clifford Street

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

**Elaine Munro** ACST  
Committee Secretary and Planning Technician  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)  
**Tel:** 905.688.5601 x1715

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CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 19, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** B-34/20SC,  
A-73/20  
A-74/20

**File:** 60.84.2311  
60.81.5663  
60.81.5664

**Subject:** 3 Clifford Street  
Proposed Severance and Minor Variances

## Recommendation

### Consent

That Application **B-34/20SC** by Premier Homes of Niagara Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
  - a. That building permit plans, including a site plan and elevations for both new lots 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, albeit with varying materials, colouring or detailing to differentiate the two dwellings; and
    - ii. that driveway widths and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.
  - b. That a grading and drainage plan 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; and
    - ii. that sump pump flows and roof leaders shall discharge at grade at the front of the dwellings.
2. That the existing 1 storey detached dwelling and in-ground pool be removed. Demolition permits are required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

3. That the applicant submit payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.
4. 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.
5. That the Owner shall pay the fee for City crews to locate, trace, inspect and document the location of the sewer and water laterals for the existing building.
6. 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.
7. 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.
8. That the Owner obtain approval for the associated lot area and lot frontage variances.
9. 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.
10. 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.
11. That final approval of the concurrent Minor Variance Application be approved.
12. That all conditions of consent be fulfilled by August 26, 2021.

## **Minor Variance**

That Applications **A-73/20** and **A-74/20** by Premier Homes of Niagara Inc., as outlined in the Notice of Hearing, be approved.

## **Report The Proposal**

The existing house located at 3 Clifford Street would be demolished and the property divided roughly in half to accommodate the construction of two new single detached dwellings. The applicant has advised that both new homes will be one one-storey dwellings with attached garages.

Approval of the concurrent Minor Variance applications would be required in order to allow the proposed severance. The Minor Variances seek relief from the zoning by-law's maximum lot area provision on both lots, allowing a lot area of 583 m<sup>2</sup> on the northerly

new lot (Part 1) and 636 m<sup>2</sup> for the southerly new lot (Part 2), while the maximum permitted lot area in the R1 zone is 538 m<sup>2</sup>. A reduction in the minimum required lot frontage to 13.6 m is also requested for the southerly new lot, while the minimum required lot frontage is 16.5 m. The northerly lot meets the 16.5 m minimum frontage requirement.

## **Location and Site Description**

The subject property is located on the west side of Clifford Street, between Parnell Road and Lakeshore Road. The property is surrounded by detached dwellings to the north, south and east, with a recently-constructed private road condominium development to the west. The property is currently occupied by a single detached dwelling which is proposed to be removed. The existing driveway is proposed to be retained for access to one of the new homes.

## **Circulation of Application**

This Application was circulated to all appropriate departments and agencies and 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 E2 thereof. Detached dwellings are permitted in this designation at a density generally ranging from 20 to 32 units per hectare. The proposed 2-unit development does not meet this minimum density threshold due its larger lot size (16.4 units per hectare), however the severed lands will facilitate appropriate residential infilling, resulting in an overall density increase more in keeping with the target density range.

### **Zoning By-law (2013-283)**

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are a permitted use in this zone. The proposed new homes would comply with all setback, height and coverage requirements of the by-law.

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

Consent Application **B-34/20SC** requests to sever the subject property to allow for the replacement of the exiting detached dwelling with two new dwellings on separate lots. While the lots do not achieve the minimum density target of 22 units per hectare for new



residential development, the addition of a third new dwelling in order to meet that target would be complicated by the relatively narrow street frontage of the site which is in part a function of the pie-shape of the parcel. Two detached dwelling units are considered by staff to be an appropriate and compatible development option for this site and staff are generally satisfied with the proposed house design and built form but will want to see some variation on materials, colour, and/or detailing to help differentiate the two dwellings from one another.

In order to ensure that development of the new lots proceeds in a manner that maintains compatibility with the surrounding neighbourhood, ensures the protection of boulevard trees, and appropriately accounts for drainage impacts, a development agreement will be required as a condition of approval.

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

Staff are supportive of Consent Application **B-34/20SC**, subject to the conditions outlined in the recommendation.

### **Minor Variance**

In order to facilitate the proposed severance, the Applicant has requested an increase in the maximum permitted lot area for both new lots. While smaller than the existing lot, both the severed lot and the retained lot would still exceed the maximum permitted lot area of 538 m<sup>2</sup>. Lot areas of 583 m<sup>2</sup> and 636 m<sup>2</sup> are proposed for the northerly (Part 1) and southerly (Part 2) lots respectively. The larger lot area is largely a function of the depth of the parcels as neither will have significant street frontage. Staff are satisfied that the proposal represents an efficient and appropriate development pattern for these lands.

An additional variance is also requested to permit a reduced lot frontage of 13.6 m for the southerly lot (Part 2), where as the zoning by-law requires a minimum lot frontage of 16.5 m in the R1 zone. While the reduced frontage is narrower than other lots in the immediate area, the reduced frontage is partially a function of the pie-shape of this lot, which narrows towards the street. As noted above, the proposed new lot is still fairly large – exceeding the maximum permitted lot area. Staff are satisfied that the reduced lot frontage will not compromise the applicant's ability to achieve compatible development on this site.

Staff are of the opinion that the requested variances 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 the variances.

### **Conclusion**

Having regard for the matters under Section 53 of *The Planning Act*, staff are of the opinion that approval of Application **B-34/20SC** will allow for development that is



compatible with the neighbourhood, consistent with the provisions of the Zoning By-law, and will have no adverse impacts on the surrounding area and environment, subject to the conditions outlined herein. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined herein.

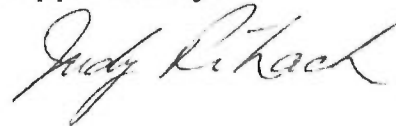
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-73/20** and **A-74/20** would be in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and function of the lands. Staff recommend that the Applications be approved.

**Prepared and Submitted by:**

A handwritten signature in black ink, appearing to read 'Scott Ritchie', written in a cursive style.

Scott Ritchie  
Urban Design Planner

**Approved by:**

A handwritten signature in black ink, appearing to read 'Judy Pihach', written in a cursive style.

Judy Pihach  
Manager, Planning Services

## Munro, Elaine

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

3 Clifford

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

**Sent:** Monday, August 10, 2020 9:28 AM

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

**Subject:** Re: Committee of Adjustment Notices and Applications, City of St. Catharines, for the August 26/20 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.

Hi Elaine

Email 4

Cogeco has no issue or concerns with these applications.

Thanks

Have a wonderful week!!!

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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



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Memorandum

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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: August 7, 2020

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

---

**B-22/20SC – 8 Paxton Avenue**

Comment:

- Be advised that building permits are required for the proposed 2 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-33/20SC – 34 Greenwood Avenue**

Comment:

- Be advised that building permits are required for the proposed Semi Detached Dwelling on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

**B-34/20SC – 3 Clifford Street**

Comment:

- Be advised that building permits are required for the proposed 1 Storey Detached Dwellings on Parts 1 and 2.

Condition:

- The existing 1 Storey Detached Dwelling and Inground Pool are to be removed. Demolition permits are required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
A-70/20	34A Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-71/20	34B Greenwood Ave.	Be advised that a building permit is required for the proposed Semi Detached Dwelling and Accessory Dwelling Unit.  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-72/20	84 Permilla Street	Be advised that a building permit is required for the proposed 1 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.
A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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



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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

1. **39 York Street, Minor Variance, A-33/20 – 60.81.5623**  
No comment.
2. **8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635**  
**10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

3. **192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**  
No comment.

**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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



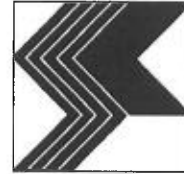
If Planning and Building Services determines that parkland dedication can be collected for this application, CRCS requests the following condition of severance:

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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

**REPORT TO PLANNING DEPARTMENT**  
**Re: CITY LAND DIVISION APPLICATION NUMBER B-34/20SC**



August 17<sup>th</sup>, 2020

**ENGINEERING FILE 300-36**

**Hearing Date:** August 26<sup>th</sup>, 2020

**Applicant:** Premier Homes of Niagara Inc.

**Location:** 3 Clifford Street

**MUNICIPAL SERVICES**

**Clifford Street**

**Water:** 150mm AC

**Sanitary Sewer:** 200mm

**Storm Sewer:** None (shallow road-side ditching)

**Sidewalks:** None

**Road Allowance Width:** 20m±

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

*Comment(s):* It is noted that the Applicant proposes to sever the existing lot creating a new lot for the purpose of constructing a new dwelling. The existing house and pool will be demolished and a new dwelling will be constructed on the remnant parcel.

Clifford Street is designated a Local Road in the City's Official plan with a desired right-of-way width of 20m. Its current width along this section is approximately 20m±. Therefore, a road widening will not be required at this time

Sidewalks do not exist along the frontage of the subject property at this time. Sidewalk construction on Clifford Street is not on the City's Sidewalk Priority list. Therefore, a contribution to the construction of a future sidewalk across the frontage of the subject property is not required at this time.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision sometimes do not have suitable drainage outlets in place. Although an individual lot drainage plan is a requirement for review and approval at the building permit stage, it shall also be required as a condition of this severance to ensure that the lots can convey drainage flows to a suitable outlet without adversely affecting adjacent abutting properties and the City boulevard. Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does not exist on Clifford Street, sump pump flows and roof leaders shall be required to discharge to grade at the front of the proposed dwellings. This shall be identified on the required lot drainage plan.

The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwelling are suitable for reuse and do not cross any abutting

and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the appropriate portion of these works on both City and private property. Any such alterations on private property shall require the owner to obtain a Plumbing Only Permit. Any relocation of the services within the City ROW will be done by City crews at the lot owner's expense.

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

Condition(s):

Prior to consent, the Applicant shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Clifford Street to be dedicated to the City as Public Highway; and
- Submit and register the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway known as Clifford Street; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer lateral and water service on private property and the Clifford Street right-of-way; and
- Complete, if deemed necessary, any relocation of the existing sanitary lateral and/or water service on private property if the existing services cross existing or future side lot lines; and
- Pay the City to relocate any portion of the existing water service and/or sanitary sewer lateral on City property that may be required to eliminate services crossing existing or future side lot lines;



Prepared By: \_\_\_\_\_

James Denham, P.Eng.  
Development Engineering Technologist



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/20  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,



Prepared by:

\_\_\_\_\_  
Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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

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# **COMMENTS**

**A-75/20 (60.81.5665)**

**59 & 59 ½ Niagara Street**

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



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** August 19, 2020

**Date of Meeting:** August 26, 2020

**Report Number:** A-75/20

**File:** 60.81.5665

**Subject:** 59 & 59 ½ Niagara Street

### Recommendation

That Application **A-75/20** by Grant McArthur and Leonardo DiFabio, as outlined in the Notice of Hearing, be approved.

### Report

#### The Proposal

The Applicants have proposed to construct a 2.5 storey, 12-unit residential apartment on the properties known as 59 & 59 and a half Niagara Street. To facilitate this development, Application A-75/20 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following:

1. A reduction of the minimum front yard setback from 3 metres to 0.5 metres.
2. A reduction of the minimum required parking spaces from 15 spaces to 12 spaces.

#### Location and Site Description

The subject property is located on the west side of Niagara Street, south of Welland Avenue. The property is surrounded by mixed use building to the north, east and west, and the parking lot of the Niagara Regional Police head quarters to the south, currently under construction.

#### Circulation of Application

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

#### Planning Policy Context

##### Official Plan (Garden City Plan)

The subject property is designated Downtown on Schedule D1 of the Garden City Plan (GCP) and further designated Mixed High Density Residential/Commercial on Schedule E10. Residential apartment buildings are permitted within this designation at a density of



85 units per hectare or greater. The proposed development has a density of 129 units per hectare.

### **Zoning By-law (2013-283)**

The subject property is zoned High Density Mixed Use (M3). Apartment buildings are permitted in this zone. The Zoning By-law requires that buildings of this type be set back a minimum of 3 metres from the front lot line, and requires a parking ratio of 1.25 parking spaces per unit. The applicant is proposing a front yard setback of 0.5 metres and a parking ratio of 1 parking space per unit.

### **Site Plan Approval**

The proposed development is currently going through the Site Plan Approval process. The detailed design will be refined until it is ultimately approved by City Staff, and the applicant will enter into an agreement with the City that is to be registered on title requiring the development to match the approved drawings.

### **Planning Analysis**

Variance 1 requests a reduction of the minimum front yard setback from 3 metres to 0.5 metres. The requested reduction is considered minor in nature, as no negative impacts are anticipated and the setback is similar to that of existing buildings to the north of the site.

Section 7.1 (c) of the Garden City Plan states that development and redevelopment shall be evaluated having regard for building, site, streetscape and neighbourhood context sensitive design to ensure the integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood. Further, the intent of the minimum front yard setback is, in part, to ensure buildings do not overwhelm the public realm. The proposed setback is in keeping with the established setback along Niagara Street established on the properties to the north. Staff are supportive of the building being closer to the street to maintain the existing character along the Niagara Street streetscape. If the building were setback the required 3 metres.

The reduced setback allows more space at the rear of the site to ensure there is an adequate drive aisle for to parking spaces at the rear of the development. By increasing space to the rear, and keeping with the established character of the area, the reduced setback is considered desirable for the appropriate use of the lands.

### **Variance 2**

Variance 2 requests a reduction in required parking spaces from 15 to 12. This equates to a reduction in parking ratio from 1.25 spaces per unit to 1 space per unit.

Section 5.4(2) of the Official Plan outlines a number of situations in which the City may consider the reduction or the elimination of vehicular parking requirements. These include situations where transit is readily available or where transit facilities are provided; and, where bicycle parking and facilities, or community facilities, are provided. The intent of

the minimum requirements in the Zoning By-law are, in part, to accommodate all parking for residents and visitors on the subject site.

In this instance, the development is located in close proximity to a number of transit routes travelling on Welland Avenue to the North and Church Street/Queenston Street to the South. The property is also within an approximately 10-minute walk from the downtown bus terminal. The applicant will be providing bicycle parking onsite, which will be ensured through the Site Plan Agreement process.

The reduction from 15 to 12 required parking spaces is considered minor in nature. The building residents will be aware of the extent of parking upon moving into the building, and are unlikely to have multiple vehicles. The building is in close proximity to the Downtown parking exemption area, and is within walking distance of paid parking garages and municipal parking lots. No unreasonable parking spillover is anticipated as a result of the reduction. The reduction facilitates the development of an underutilized parcel of land in an area designated for high density development. Overall it is considered desirable for the appropriate use of the land.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-75/20** 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:**



Charlotte McEwan  
Planner I

**Approved by:**



Judy Pihach M.C.I.P., R.P.P.  
Manager of Planning Services

August 12, 2020

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

**Attention: Elaine Munro**

File# 60.81.5665

Re: 59 and 59 ½ Niagara St

In response to your correspondence dated July 31, 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](http://www.alectrautilities.com).
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.

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.

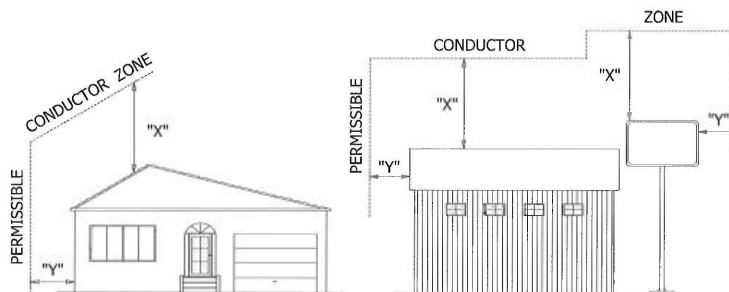
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 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



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

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

\* - INCLUDES MULTI-GROUNDED NEUTRALS

#### NOTES:

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

**Munro, Elaine**

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

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

**Sent:** Monday, August 10, 2020 9:20 AM

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

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

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

Hi Elaine  
Email 2

31 Meredith, 84 Permilla and 59 Niagara

Cogeco has one comment for these applications -  
192-194 Glendale Ave.

Cogeco has a pedestal on city property between 190 and 192 Glendale. If this requires relocation due to this development. The developer/Owner will be responsible for 100% cost recovery for the relocation.

Thanks

Doug Crown  
Network Planning Department

7170 Mcleod Rd  
Niagara Falls Ont Canada

[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

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



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## Memorandum

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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: August 7, 2020

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

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NO.	ADDRESS	COMMENTS
A-33/20	39 York Street	Be advised that a building permit is required for the proposed 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.
A-45/20	8 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-46/20	10 Paxton Avenue	Be advised that a building permit is required for the proposed 2 Storey 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-51/20	192-194 Glendale Avenue	Be advised that building permits are required for all of the proposed construction on this property.  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-69/20	31 Meredith Drive	Be advised that building permits are required for the proposed above-ground pool with deck and covered pergola.

NO.	ADDRESS	COMMENTS
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A-73/20	3A Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-74/20	3B Clifford Street	Be advised that a building permit is required for the proposed 1 Storey 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-75/20	59 Niagara Street	Be advised that a building permit is required for the proposed 2.5 Storey, 12 Unit Residential Apartment.  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





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## Memorandum

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**To:** Elaine Munro, Planning and Building Services  
**CC:**  
**From:** Jessica Button, Community, Recreation and Culture Services  
**Date:** August 17, 2020  
**Subject:** Committee of Adjustment Hearing – August 26, 2020

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

**1. 39 York Street, Minor Variance, A-33/20 – 60.81.5623**

No comment.

**2. 8 Paxton Avenue, Consent, B-22/20SC – 60.84. 8 Paxton Avenue, Minor Variance, A-45/20 – 60.81.5635  
10 Paxton Avenue, Minor Variance, A-46/20 – 60.81.5636**

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.

**3. 192-194 Glendale Avenue, Minor Variance, A-51/20 – 60.81.5641**

No comment.

**4. 31 Meredith Drive, Minor Variance, A-69/20 – 60.81.5659**

No comment.

**5. 34 Greenwood Avenue, Consent, B-33/20SC – 60.84.2310 –  
34A Greenwood Avenue, Minor Variance, A-70/20 – 60.81.5660  
34B Greenwood Avenue, Minor Variance, A-71/20 – 60.81.5661**

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

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

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

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

**6. 84 Permilla Street, Minor Variance, A-72/20 – 60.81.5662**

No comment.

**7. 3 Clifford Street, Consent, B-34/20SC – 60.84.2311  
3A Clifford Street, Minor Variance, A-73/20 – 60.81.5663  
3B Clifford Street, Minor Variance, A-74/20 – 60.81.5664**

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

That the driveway and associated servicing be

That the width of the drive way and location of utilities be minimized at the curb to reduce impacts on the adjacent boulevard trees.

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

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

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

8. 59 Niagara Street, Minor Variance, A-75/20 – 60.81.5665  
No comment.

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**Cc:** City Committee of Adjustment Staff Members  
**From:** Jim Denham, P.Eng. Development Engineering Technologist  
**Date:** August 17<sup>th</sup>, 2020  
**Hearing Date:** August 26<sup>th</sup>, 2020  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
39 York Street, Minor Variance, A-33/20  
8 Paxton Avenue, Minor Variance, A-45/20  
10 Paxton Avenue, Minor Variance, A-46/20  
192-194 Glendale Avenue, Minor Variance, A-51/20  
31 Meredith Drive, Minor Variance, A-69/20  
34A Greenwood Avenue, Minor Variance, A-70/20  
34B Greenwood Avenue, Minor Variance, A-71/20  
84 Permilla Street, Minor Variance, A-72/20  
3A Clifford Street, Minor Variance, A-73/20  
3B Clifford Street, Minor Variance, A-74/20  
59 Niagara Street, Minor Variance, A-75/20

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Development Engineering have reviewed the above applications and have the following comments.

- 1/ 39 York Street, Minor Variance, A-33/20  
A grading Plan will be required to be submitted for approval at the building permit stage.
- 2/ 8 Paxton Avenue, Minor Variance, A-45/20 and  
10 Paxton Avenue, Minor Variance, A-46/20  
A Lot Drainage plan is being required as a condition of concurrent severance application.
- 3/ 192-194 Glendale Avenue, Minor Variance, A-51/20  
Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.
- 4/ 34A Greenwood Avenue, Minor Variance, A-70/20 and  
34B Greenwood Avenue, Minor Variance, A-71/20  
A Storm Water Management and Detailed Lot Grading Plan is being required as a condition of concurrent severance application.
- 5/ 84 Permilla Street, Minor Variance, A-72/2  
A grading Plan will be required to be submitted for approval at the building permit stage.

6/ 3A Clifford Street, Minor Variance, A-73/20

3B Clifford Street, Minor Variance, A-74/20

A Lot Drainage plan is being required as a condition of concurrent severance application.

7/ 59 Niagara Street, Minor Variance, A-75/20

Any Development Engineering concerns are being dealt with through the Site Plan Agreement process.

Trusting this information is satisfactory.

Regards,



Prepared by:

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Jim Denham, P.Eng..  
Development Engineering Technologist

- c. Judy Pihach, PBS (email only)
- Will Banda, PBS (email only)
- Brad Johnston, PBS (email only)



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## Memorandum

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**To:** Elaine Munro  
Committee Secretary & Planning Clerk

**Cc:**

**From:** Steve Bittner  
Transportation Technologist

**Date:** August 4, 2020

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

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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