



Agenda

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

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

1. Chair to call the Hearing to Order
2. Recognition of Traditional Territories
3. Additions/Deletions to the Agenda
4. Declarations of Interest
5. Request for Adjournment
6. Motion to Adopt the Minutes of the previous Hearing held on October 21, 2020.
7. Application:
 1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666
 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318
 - 2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
 - 4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678
 3. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686
 4. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687
 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320
 - 10 Nash Street, Consent, B-44/20SC – 60.84.2321
 - 10 Nash Street, Consent, B-45/20SC – 60.84.2322
 - 10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
 - 10B Nash Street, Minor Variance, A-99/20 – 60.81.5689
 - 12 Nash Street, Minor Variance, A-100/20 – 60.81.5690
 6. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323
 - 22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.5691
 - 24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692
 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324
 - 43 Wiley Street, Consent, B-48/20SC – 60.84.2325
 - 41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
 - 43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694
 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695
8. New Business:
9. Date of next Hearing: December 16, 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

COMMENTS

A-76/20 (60.81.5666)

1076 Vansickle Road North

DATE OF HEARING:
November 19, 2020

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Notice of Hearing: 1076 Vansickle Rd N; File No. 60.81.5666
Date: Wednesday, November 11, 2020 9:43:04 AM

From: Dan Sheffield <>
Sent: Wednesday, November 11, 2020 9:25 AM
To: Munro, Elaine <emunro@stcatharines.ca>; Siscoe, Mathew <msiscoe@stcatharines.ca>
Subject: Notice of Hearing: 1076 Vansickle Rd N; File No. 60.81.5666

Dear Ms Munro,
Thank you for providing to us the Notice of Hearing for variances on this building project in our neighborhood.

We are supportive of densification in our neighbourhood and the variances, though significant, seem to, largely, respect direct neighbours. We recognize that approval of these variances allows for at least 2-3 extra units in the development.

We are somewhat concerned that this development means even more units without ease of access to recreational facilities. Meaning, that our property has become a defacto -- unacknowledged by the city -- recreation area for neighbourhood residents. We suspect that residents of this new development will continue to contribute to this reality. (Rather than the 10 min walk down Vansickle to Grapeview to 1st Ave and the public facilities at Grapeview School.) I am also aware that this is not the concern of your specific department.

Sincerely,
Rev. Dan Sheffield

--

Minister
Grapeview Church/Grapeview Daycare
1102 Vansickle Rd N/41 Grapeview Dr
www.grapeviewchurch.org

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

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: File No. 60.81.5695; Submission A-105/20
Date: Monday, November 9, 2020 3:37:57 PM

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

-----Original Message-----

From: info@esolutionsgroup.ca <info@esolutionsgroup.ca> On Behalf Of Gordon Akilie
Sent: Monday, November 9, 2020 11:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: File No. 60.81.5695; Submission A-105/20

Good Morning,

I am a resident on Tuscany Court, which is two lots south of the proposed development. Our street is also very close to another proposed development at 1076 Vansickle Road North.

My chief concern stemming from both proposed developments relates to traffic flow on Vansickle Road North. Collectively, these developments will certainly add a significant number of vehicles to our daily road usage. In the mornings and evenings there will be increased traffic flow south on Vansickle Road North. The stop sign at Grapeview and traffic light at Martindale will see changes in traffic volume and patterns. The one-way turn at Martindale and Vansickle Road North Road will similarly see increased use.

What steps will be taken by the city to ensure Vansickle Road North - and by extension, the surrounding streets, including Tuscany Court - can accommodate the increase in vehicles?

What studies, reports or infrastructure projects will or have been undertaken to ensure the safety of our community, particularly sidewalk users including small children and the elderly?

I look forward to hearing from you on how these important issues will be meaningfully addressed.

Thank you for your consideration.

Sincerely,

Gordon Akilie

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

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: re application A-76/20 1076 Vansickle Road
Date: Wednesday, November 11, 2020 11:26:25 AM

From: Jill Goebel < >
Sent: Wednesday, November 11, 2020 7:11 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: re application A-76/20 1076 Vansickle Road

I have received the notice re the property at 1076 Vansickle Road as I live at 41 Terrama Court, and within the 60 metre boundary. I do have questions.

1) It appears that there are 17 parking spots for 12 units. What is the city standard for # of parking spots when there is no driveway into the house/townhouse? How was the number of 17 spots derived?

2) I expect it is anticipated that overflow parking will be on Vansickle Road and if necessary, Grapeview Dr. If that is the case, will parking be allowed on both sides of Vansickle Road or will that be changed? I am not sure if the fact that the firetruck from the station at the end of Vansickle drives up and down that road and whether consideration has been given to that or the fact that there is a sidewalk on only one side of the road. It is a road with a lot of traffic which I expect has been measured. Is that a correct assumption and what were the results?

3) Will parking on Vansickle Road and Grapeview Dr be allowed during the night?

I am concerned that Terrama Court, where I live, might be used for extra parking by visitors to the new dwellings at 1076 Vansickle (or by owners of the town homes), especially if they cannot park on Vansickle or Grapeview between 0200-0600 hr.

Might any consideration be given to Terrama Court parking being only allowed on one side of the street (the hydro field side) with no parking near the intersection of Terrama Court at Grapeview (there used to be a yellow stripe painted on the roadway at the entrance to prevent parking) ? As well, Terrama Court can be a real mess after a snow storm, which adds to any parking problem on the street. I do believe the addition of the new homes at 1076 Vansickle, if sufficient parking options aren't available, will only add to the problem of parking on Terrama Court.

I look forward to hearing from you further, in this regard.

Sincerely
Jill Goebel

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

Elaine Munro ACST
Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca

November 5, 2020

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

Attention: Elaine Munro

File# 60.81.5666

Re: 1076 Vansickle Rd N

In response to your correspondence dated October 28, 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.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantageous for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

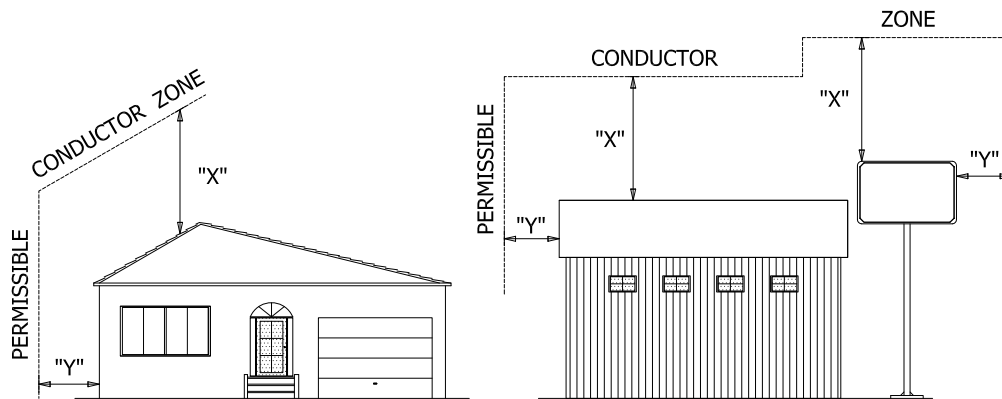
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 13, 2020

Date of Meeting: November 19, 2020

Report Number: A-76/20

File: 60.81.5666

Subject: 1076 Vansickle Road N

Recommendation

That Application **A-76/20** by Rocco DiPaola, as outlined in the “Proposal” section of this report, be approved.

Report

The Proposal

The Applicants have proposed to construct a 14-unit private road development on the property known as 1076 Vansickle Road N. The development is comprised of 8 townhouse units (one block of 3 and one block of 5) along the private road, and 6 semi-detached units, 4 of which are along the private road and 2 of which are fronting onto Vansickle Road N. There are 17 surface parking spaces, including one accessible space, proposed internal to the site. Additionally, 1 parking space is provided in each of the driveways of the street-facing semi-detached units. To facilitate this development, Application A-76/20 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following:

1. A reduction of the minimum lot area per dwelling unit from 315 m² to 280 m².
2. A reduction of the minimum front yard setback to the dwelling (Units 1 & 2) from 6 metres to 3.0 metres.
3. A reduction of the minimum front yard setback to the garage (Units 1 & 2) from 7 metres to 5.46 metres.
4. A reduction in the minimum interior side yard setback from an end wall from 5 metres to 2.0 metres (Units 2 & 14) and 1.2 metres (Unit 13).
5. A reduction in the minimum rear yard setback from an end wall from 7.5 metres to 5.0 metres (Units 8-12).

6. A reduction in the minimum distance from a dwelling to a private road from 3.0 metres to 0.75 metres (Unit 1), 1.8 metres (Units 3-7) and 2.0 metres (Units 8-12).
7. A reduction in the minimum landscaped buffer between a parking area with 5 – 20 parking spaces and lot line abutting a Residential Zone from 3.0 metres to 1.6 metres.
8. An increase in the maximum driveway width from 50% of the unit width to 57% of the unit width (Units 1 & 2).
9. An increase in the maximum number of attached units from 4 to 5 (Units 8-12).

It should be noted that these variances are displayed as a table on the notice of hearing and that they should be approved as outlined in this report for clarity and accuracy of the wording.

Location and Site Description

The subject property is located on the west side of Vansickle Road N, north of Grapeview Drive. The property is surrounded by detached and semi-detached residential dwellings to the north, south and east, and a hydro corridor to the west. The property is irregularly shaped and is not oriented perpendicular to the street.

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. Residential development, including private road developments, are permitted within this designation at a density of 20 to 32 units per hectare. The proposed development has a density of 35.6 units per hectare which is generally in keeping with the target density of GCP.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential (R1). Private road developments with the proposed dwelling types are permitted in this zone. The proposal is not in compliance with a number of specific provisions of the by-law. The requested variances are discussed in the Planning Analysis section of this report.

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

Lot Area

Variance 1 requests a reduction of the minimum lot area per dwelling unit from 315 m² to 280 m². Despite the reduced lot area, the design demonstrates that there is still amenity space provided for each of the units. Functional parking that meets zoning requirements is also provided. There are requested reductions in various setbacks, but these are largely the result of the irregular lot shape as opposed to the reduced lot area per unit. Overall, the reduction in lot area per dwelling unit is considered minor, and appropriate for this parcel. Staff is supportive of Variance 1.

Front Yard Setback from Vansickle Road N

Variance 2 requests a reduction of the minimum front yard setback to the dwelling (Units 1 & 2) from 6 metres to 3.0 metres. Variance 3 requests a reduction of the minimum front yard setback to the garage (Units 1 & 2) from 7 metres to 5.46 metres. The requested setbacks are measured to the closest corner of the dwellings and garages at pinch points created by the angle of the building. The property is irregularly shaped, and the semi-detached building is not oriented perpendicularly to the street, instead angling slightly away from the street. This section of Vansickle Road N has several angled lots with buildings that do not squarely face the street. The proposed setback is generally in keeping with the established setback of adjacent buildings. Despite the reduction in setback to the garages, there is sufficient space for a full parking space in each of the proposed driveways. Overall, the reduced front yard setback is appropriate in this context, and in keeping with the intent of the Official Plan and Zoning By-law. Staff are supportive of Variances 2 and 3.

Rear Yard and Interior Side Yard Setbacks

Variance 4 requests a reduction in the minimum interior side yard setback from an end wall from 5 metres to 2.0 metres (Units 2 & 14) and 1.2 metres (Unit 13). Variance 5 requests a reduction in the minimum rear yard setback from an end wall from 7.5 metres to 5.0 metres (Units 8-12). A reduced side yard setback to Unit 2, the street-facing semi-detached dwelling, is considered minor. The 2.0 metre setback is reflective of a typical setback to a side yard for street-facing dwellings that are not within private road developments. Given that Unit 2 faces the street and is intended to fit into the context of dwellings along a public road, the reduced setback is considered appropriate and in keeping with the intent of the Official Plan and Zoning By-law.

The remaining side yard and rear yard setback reductions are requested along the rear of the property (Units 8-12) and in the northwest corner (Units 13 & 14). The irregular lot shape results in some constraints on the layout of a private road development. In order to provide all setbacks, parking, access and yards, it is unlikely this site could meet the

minimum density. In order to work with the irregular lot fabric, the applicants have ensured that the setbacks along abutting residential parcels are prioritized. The setbacks along the hydro corridor are requested to be reduced. The reduction in rear yard along Units 8-12 still provides amenity space for each unit. The reduction of the side yard along Unit 13 is not expected to have any negative impacts and allows for the setback along Unit 14 to be wider at 2.0 metres along the adjacent residential lot. Overall, the requested setbacks are sensitive to the context of the neighbourhood while maintaining the function of the site. The intent of the Official Plan and Zoning By-law are being upheld. Staff are supportive of the requested setback reductions.

Setback from the Private Road

Variance 6 requests a reduction in the minimum distance from a dwelling to a private road from 3.0 metres to 0.75 metres (Unit 1), 1.8 metres (Units 3-7) and 2.0 metres (Units 8-12). Staff note that Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit, and that a minimum of 3.0m is required to support this growth. The proposed setbacks will, however, still accommodate smaller plantings. In order to provide greater setbacks to the dwellings, the rear yards would likely need to be reduced, or the parking area narrowed, resulting in a parking reduction. The constrained space is a result of the irregular lot configuration. The setbacks could not be increased by reducing the number of units. By reducing the setbacks to the private road, the impact of reduced setbacks or a parking reduction on surrounding areas is mitigated. The space may not allow for large trees in front of each dwelling, but landscaping will still be provided, as required and detailed through the site plan process. Staff are supportive in the reductions in setbacks to the private road as proposed.

Landscape Buffer

Variance 7 requests a reduction in the minimum landscaped buffer between a parking area with 5 – 20 parking spaces and lot line abutting a Residential Zone from 3.0 metres to 1.6 metres. The reduction is requested along the north side of the private road. Most of the buffer along the road is closer to 2.0 metres and the 1.6 metres is requested to recognize a pinch point. The reduced buffer is still wide enough to accommodate some landscaping, and a fence will be required through the site plan process to further buffer the road from the adjacent parcel. Part of the intent of the required buffer is to limit the impact of car headlights as they use the parking stalls. Since the buffer is only reduced along the driveway access portion, there will not be headlights shining across it as there would be if it was perpendicular parking. Overall, the impact is minimal and staff is supportive of the reduction in landscape buffer in this location.

Driveway Width (Units 1 & 2)

Variance 8 requests an increase in the maximum driveway width from 50% of the unit width to 57% of the unit width (Units 1 & 2). The increase represents approximately 1.2 additional metres of pavement (0.6 per unit) at the streetscape. This increase is not significant in the context of the streetscape. The increase in driveway width is minor, and does not compromise the character of the street, nor does it negatively impact the drainage. The landscaping plan will be approved through the site plan to ensure that the portion of land that is not paved is landscaped appropriately, which will positively

contribute to the streetscape. Overall, staff are supportive of the requested increase in driveway width for Units 1 & 2.

Number of Attached Units (Units 8-12)

Variance 9 requests an increase in the maximum number of attached units from 4 to 5 (Units 8-12). The intent of the limit on the number of attached units is generally to avoid lengthy expanses of building on the streetscape. These units are located to the rear corner of the site, and do not overpower the private road. They are not very visible from the public street and the extra attached unit is not expected to negatively impact the character of the area, nor the function of the site. The applicant has made an effort to reduce the impact by maintaining the required setback to the existing residential property to the south of this parcel. Overall, the increase in the number of attached units is appropriate in the context and supported by staff.

Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-76/20** 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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

**B-41/20SC (60.84.2318), A-87/20
(60.81.5677) & A-88/20 (60.81.5678)**

4 Keswick Street

**DATE OF HEARING:
November 19, 2020**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 13, 2020

Date of Meeting: November 19, 2020

Report Number: B-41/20SC
A-87/20
A-88/20

File: 60.84.2318 (4 Keswick Street)
60.81.5677 (2 Keswick Street)
60.81.5678 (4 Keswick Street)

Subject: 4 Keswick Street (to become 2 and 4 Keswick Street)

Recommendation

Consent

That Application **B-41/20SC** by Dina Khan, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner submit a revised a Reference Plan, for review and approval by the City, identifying the easements related to the overhang of the eaves to indicate their location and area after the location of each unit is finalized.
2. That the Owner have prepared a Reference Plan, for review and approval by the City, identifying the Part(s) along Keswick Street of 1.52 metre width to be dedicated to the City as Public Highway.
3. That the Owner have submitted and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Keswick Street.
4. That the Owner 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 Keswick Street right-of-way; and
5. That the Owner 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
6. That the Owner 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;
7. 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.
8. 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.
9. That the Owner submit payment of 5% of the appraised value of Parts 3 & 4, as determined by a qualified appraiser, to the City in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'.

10. 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.
11. 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.
12. That final approval of the concurrent Minor Variance Applications be approved.
13. That all conditions of consent be fulfilled by November 19, 2021.

Minor Variance

That Application **A-87/20** and Variances 2 and 3 of Application **A-88/20** by Dina Khan, as outlined in the respective Notices of Hearing, be approved.

That Variance 1 of Application **A-88/20** by Dina Khan be approved as follows:

A reduction of the minimum required lot area for a semi-detached dwelling unit from 280 m² to 250 m².

Report The Proposal

The Applicant proposes to construct a semi-detached dwelling at 4 Keswick Street. The existing lot is proposed to 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 (without road widening)	Retained Parcel	Retained Area (without road widening)
B-41/20SC	Parts 3 & 4 (4 Keswick Street)	262.7 m ²	Parts 1 & 2 (2 Keswick Street)	326.1 m ²

Parts 2 and 4 are proposed as 4.8 m² easements for access and maintenance of the overhang and eaves.

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

Application A-87/20 seeks relief from the City of St. Catharines By-law 2013-283, as amended, for the following variances for the parcel outlined as Parts 1 & 2 on the attached sketch:

1. A reduction of the minimum eastern interior side yard setback from the dwelling to the lot line (where the dwelling protrudes from the common wall) from 1.2 metres to 0 metres;
2. An increase of the maximum encroachment into the required yard for eaves and gutters from 0.15 metres to the lot line to 0 metres.
3. A reduction of the minimum lot frontage from 7.5 metres to 4.55 metres;

4. An increase to the maximum allowable driveway width from 50% to 67.03% of the front lot line;
5. An increase to the maximum allowable driveway area from 50% to 67.03% of the front yard.

Application A-88/20 seeks relief from the City of St. Catharines By-law 2013-283, as amended, for the following variances for the parcel outlined as Parts 3 & 4 on the attached sketch:

1. A reduction of the minimum required lot area for a semi-detached dwelling unit from 280 m² to 243.35 m².
2. A reduction of the minimum western interior side yard setback from the dwelling to the lot line (where the dwelling protrudes from the common wall) from 1.2 metres to 0 metres.
3. An increase of the maximum encroachment into the required yard for eaves and gutters from 0.15 metres to the lot line to 0 metres.

Background

This application was previously approved for a minor variance (A-125/19) to build a semi-detached dwelling on the property. The Owner applied for a building permit which was not issued before a decision was made by the Local Planning Appeals Tribunal (LPAT) requiring the severing of the parcel prior to building two semi-detached units. Accordingly, the owners are now applying to sever the lot. Given that this project was on its way to received a building permit prior to the LPAT decision, and provided all zoning provisions are adhered to, either as written or as varied, staff does not require a Development Agreement to be registered on the lands, as is typical of severances for new construction.

Location and Site Description

The subject property is located on the south side of Keswick Street, east of Hartzel Road. The property is surrounded by detached dwellings to the north and south, an automobile garage to the northwest, semi-detached dwellings to the east, and a mix of residential and commercial uses to the west.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject 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 34 units per hectare. The proposal generally 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-41/20SC** requests 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. The existing parcel is irregular in shape, presenting some challenges when severing into two units. One of the proposed lots meets the zoning by-law requirements for lot area but not lot frontage, and the other meets the lot frontage requirements, but not the lot area. Despite these deficiencies, proposal demonstrates that there is sufficient space on each of the lots to accommodate a building envelope, parking, landscaping, and amenity areas. As stated above, the proposed density of about 34 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 configuration are in keeping with the character of the neighbourhood, subject to the conditions outlined in the recommendation.

Parts 2 and 4 are proposed easements for access to and maintenance of the proposed overhang and eaves. These easements are appropriate for the proposed use. And ensure the eave overhang resulting from the offset-nature of the semi-detached units is accommodated and maintained, mitigating and impacts.

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 severance.

Staff are supportive of Consent Application **B-41/20SC** subject to the conditions outlined recommendation herein.

Road Widening

Keswick Street 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, although the road is deficient at 15.24m±, the City is agreeable to an ultimate 18.28m (60') road width along this section and it is therefore required that the City obtain a road widening of 1.52m along the frontage to be dedicated as Public Highway Keswick Street to obtain half of the desired road allowance width of 18.28m.

As a result of the road widening, the lot areas for the proposed units will be reduced by approximately 7 m² (Parts 1 & 2) and 12 m² (Parts 3 & 4). This is addressed in the requested variances, discussed in the variance section below.

Variances

Reduction of Interior Side Yard and Increase in Eave Encroachment

As proposed, both the new and retained parcels require a reduction in interior side yard setback from the dwelling to the lot line where the dwelling protrudes from the common wall. The semi-detached units are offset in order to adequately address the street while making use of the irregular lot shape, with one set farther forward than the other. As a result, each unit has a portion of wall that is not a common wall located along the shared property line. Additionally, the portion of the eaves running along this portion of each unit will be 0 metres from the property line where the Zoning By-law requires the eaves to encroach up to 0.15 metres from the property line. Variances 1 and 2 for Application A-87/20, and Variances 2 and 3 for Application A-88/20 are requested to permit these proposed setbacks.

The requests are considered minor in nature. The only potential impact is that the eaves overhang the wall onto the neighbouring unit's property. In order to facilitate this overhang and maintenance thereof, the applicant is requesting the establishment of easements for the purpose of maintain the overhang in perpetuity. The requested variances allow for the construction of a building that suits the unique lot configuration and addresses the street by offsetting the units, upholding the overall intent of the Official Plan and Zoning By-law. With the easements in place, no negative impacts are anticipated. Staff are supportive of the requested Variances.

Lot Frontage and Driveway Variances (Parts 1 & 2)

The Applicant has requested the following Variances for the westerly lot (Parts 1 & 2):

- A reduction of the minimum lot frontage from 7.5 metres to 4.55 metres;
- An increase to the maximum allowable driveway width from 50% to 67.03% of the front lot line;

- An increase to the maximum allowable driveway area from 50% to 67.03% of the front yard.

These three variances are related, as the reduction in frontage to 4.55 metres results in limited width for a driveway at the front of the property. The frontage reduction is considered minor in nature. The subject parcel is shaped somewhat like a “flag lot.” This lot, while requesting a reduced frontage, has more lot area than Parts 3 & 4 because the lot widens out about 11 metres back from the front property line. The frontage reduction does not compromise access to the lot. The streetscape and character are generally maintained, given the twinning of the proposed driveways to reduce overall impact. The reduction in frontage is considered appropriate for this parcel, as it allows the intensification of an underutilized parcel in a manner that does not detract from the surrounding area.

The Zoning By-law limits driveway width to 50% of the lot frontage, which in this case would equal 2.28 metres across, which is not sufficient for most vehicles. The Zoning By-law also limits driveway coverage to 50% of the area of the front yard. In this case, since the lot remains narrow for the entirety of the required front yard, it takes up a larger portion of the yard. Staff are supportive of the requested variances, as they facilitate the intensification of an irregular lot, do not detract from the streetscape, and provided that lot drainage is not compromised by the increased pavement coverage. This can be ensured through the submission of a Lot Grading and Drainage Plan, which is reflected in the conditions of severance.

Reduction in Lot Area (Parts 3 & 4)

Variance 1 for Application A-88/20 requests reduction in minimum lot area for Parts 3 & 4 from 280 m² to 243.35 m². The requested lot area reduction incorporates a 2.44 metre wide road widening, which was initially requested by the City. The City has re-considered this road widening and adjusted the request to 1.52 metres. As a result, the lot will be over 250 m².

Overall, the reduction is considered minor. The lot provides the required lot frontage and all required setbacks (except for the interior side yard reduction requested in this report), including a rear yard setback that far exceeds the minimum requirements. The reduced lot area does not compromise the compatibility of the building with surrounding uses, and facilitates the appropriate intensification of an irregular lot. Staff are supportive of the variance, as amended to 250 m² to reflect the 1.52 m road widening. This is addressed in the Staff Recommendation section of this report.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-41/20SC** 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-87/20** and **A-88/20** 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 1 on Application A-88/20, as outlined in the recommendation.

Prepared and Submitted by:



Charlotte McEwan
Planner I

Approved by:



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

November 5, 2020

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

Attention: Elaine Munro

File# 60.81.5677, 60.84.2318 & 60.81.5678

Re: 2 and 4 Keswick St

In response to your correspondence dated October 28, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantageous for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

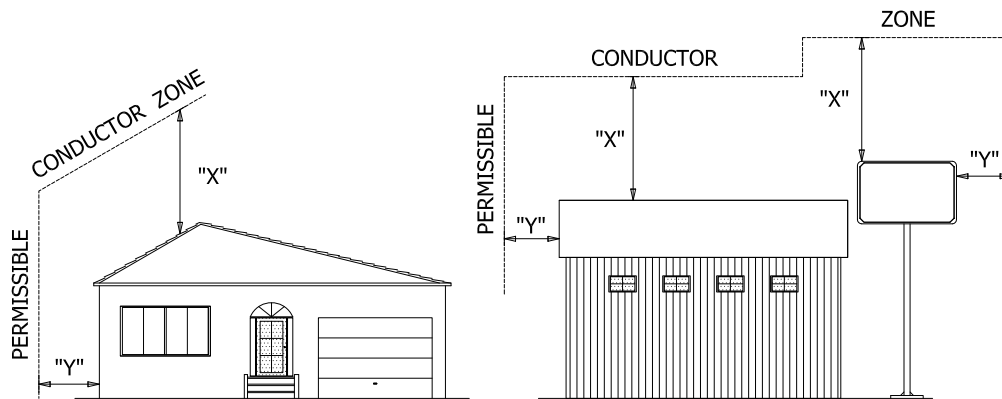
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

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

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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

ENGINEERING FILE 300-36

Applicant: Dina Khan

Location: 4 Keswick Street

MUNICIPAL SERVICES **Keswick Street**

Sanitary Sewer: 375mm (15") Concrete

Storm Sewer: None

Sidewalks: Yes

Road Allowance Width: 15.24m±

Comment(s): It is noted that the Applicant proposes to sever Parts 3 & 4 creating a new lot to be known as 4 Keswick Street for the purposes of constructing one half of a proposed semi-detached dwelling. A remnant parcel (Parts 1 & 2) will be retained for the other half of a proposed semi-detached dwelling. The application would allow each unit to be owned and/or sold separately.

Roads Keswick Street 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, although the road is deficient at 15.24m±, the City is agreeable to an ultimate 18.28m (60') road width along this section and it is therefore required that the City obtain a road widening of 1.52m along the frontage to be dedicated as Public Highway Keswick Street to obtain half of the desired road allowance width of 18.28m.

G:\PBS-Building & Development\Development Correspondence\CofA\Severance\2020\Keswick Street, 4 - B-41-20SC\B-41-20SC DevEng Comments - Nov 19, 2020 Hearing Date.docx

ensure the protection of the municipal sidewalk throughout construction of the proposed dwelling, if approved.

Services

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 Keswick Street, sump pump flows shall be required to discharge to grade and identified as such on the prepared lot drainage plan to accommodate increased drainage concerns from in-fill lot development.

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, 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 draft Reference Plan for review and approval by the City identifying the Part(s) along Keswick Street of 1.52m 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 Keswick 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 Keswick 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;
- 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



Prepared by: _____

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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

A-96/20 (60.81.5686)

19 Beard Place

DATE OF HEARING:
November 19, 2020

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Development at 19 Beard Place
Date: Thursday, November 12, 2020 8:47:03 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca

-----Original Message-----

From: info@esolutionsgroup.ca <info@esolutionsgroup.ca> On Behalf Of Linda Bowden

Sent: Wednesday, November 11, 2020 9:32 PM

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

Subject: Development at 19 Beard Place

I strongly object the development at 19 Beard Place this large building would stand out in stark contrast to the existing infrastructure. A building with this many units would have a significant impact on the current residents, some of whom have owned their homes for over 60 years. The horizon would be dominated by it, and views of the nearby green space will be drastically obscured for many. Approving these changes would result in a major shift in the personality of a long-standing neighbourhood, which has been chosen as home by many residents specifically because of the lack of this sort of infrastructure. In its understandable efforts to increase population density, the City is considering and approving growing numbers of proposals to waive zoning bylaw requirements for apartment developments. However, this is unreasonable. This is an inappropriate location to develop with a building of this size. I hope that the city will not disregard us.

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

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Committee of Adjustment Hearing for 19 Beard Place; File No. 60.81.5686; Submission No. A-96/20
Date: Friday, November 13, 2020 8:33:55 AM

From: Scott Robson <>
Sent: Thursday, November 12, 2020 8:18 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Committee of Adjustment Hearing for 19 Beard Place; File No. 60.81.5686; Submission No. A-96/20

Dear Ms. Elaine Munro,

My comments regarding the application for Minor Variance by Go-To St Catharines Beard Inc, File No. 60.81.5686, Submission No. A-96/20, can be found below.

I strongly encourage the Committee of Adjustment to deny relief from the indicated variances. Both the total number of variances, and the degree of the variances are extreme, and it is plainly clear that the building in question is far too large for the plot of land for which it is being proposed. Needing a total of 8 variances relieved to proceed with one development should certainly not be required. More importantly, many of the variances are exceptionally far from the required values presented in the zoning bylaw, including one at almost 60% less than required (max rear yard setback), and another at almost 50% less (minimum frontage).

Also of particular concern are the requested increase of the max height, and the increase in max density per hectare. The existing residential homes in this subdivision are primarily bungalows and 1.5-story homes. A 6-floor apartment complex would be an extreme contrast to the size of the existing buildings and subdivision, and will permanently alter the character of this charming neighbourhood. The increase in population, and its related impact on traffic, parking, sewage systems, and more, will change the day to day lives of the existing residents, many of whom specifically chose this neighbourhood because of its lack of this kind of infrastructure. To place this development directly onto a main artery such as Westchester Ave would be one thing, but it is inappropriate for it to be set back into a quiet subdivision with no through-streets, that otherwise consists of all single-family dwellings.

A review of the 2013-283 bylaw shows that a building this size would clearly only be suited to a Residential R4 High Density zoned plot. Even then, some variances would have to be forgiven, but far fewer. When a development requires this many variances to be approved, but there exists a zone it would fit into reasonably, it would seem the appropriate action would be to rezone the plot. I expect this plot does not fit the requirements for an R4 zoning, however. A logical progression of thought, then, is that a development this size has specifically been deemed to be not safe and/or appropriate to this type of location.

Let it be clear that I do not oppose increasing the population density in the City. The question is whether this development is an appropriate size for this location. There is no denying that increasing population density is a necessary evil which must be undertaken to allow the city to

prosper in the coming decades. However, I strongly object to the manner in which the process is being undertaken thus far. In the Merritton Ward in particular, the City is repeatedly approving extreme bylaw variances to allow oversized developments to proceed.

The values detailed in bylaws are very carefully chosen for specific reasons, based on scientific research, infrastructure analysis, sociological studies, and many other factors. Waiving these bylaws repeatedly because they do not line up well with a new City agenda is utterly irresponsible, as the bigger picture is not being fully considered. This is of great concern to me. If the existing bylaws no longer serve its needs, then the City should do the due diligence to research, analyze, and study what needs to be done to permanently amend or write new ones. At least then, residents might feel that caution and care was being taken when deciding how to proceed with the City's future plans, even if they personally dislike the end result. With developments currently appearing to be handled on a case-by-case basis, it appears to be being handled arbitrarily, carelessly, and recklessly, which is very disturbing.

With the above complex concerns out of the way, I have many other concerns about the development that I will detail in point form below:

- Loss of privacy due to windows and balconies overlooking yards will be significant.
- An almost completely obscured view of the greenspace on the opposite side of the structure will occur for many residents.
- A large portion of the parking spaces (accompanied by all associated vehicle noise: engines, slamming doors, occupant conversations) are directly along several residents' back fence-lines, which will cause constant disturbance.
- Security lighting shining into residents' yards and windows will be very unwelcome.
- All of the above will directly correlate to a significant drop in property value.

Should my arguments to outright deny this application not be entirely convincing, I would encourage that the following items be considered, before proceeding with approval:

- Subdivision streets are narrow, and traffic will increase dramatically; a Traffic Impact Study should be completed.
- Significant morning sunlight will be blocked for many residents, as well as afternoon sun for the greenspace below the slope; a study to analyze the impact of this should be required.
- Insiders inform me the sewer system infrastructure along Westchester is from the 1940's or 50's, and desperately needs updating. There was already a water main break on Westchester in 2018. The City should determine the impact to the water and sewage infrastructure, and inform residents how they propose to increase water and sewage systems to support the added strain, if needed.
- On-street parking is already limited, and the bare minimum of spaces that are planned for this development could easily create overflow. Other recently approved developments in this area have had been allocated drastically insufficient parking, and this trend desperately needs to be corrected. The parking situation for this neighbourhood should be studied.
- The proposed fence is 1.8 meters. It should be the highest height that the City allows (2 meters, I believe), or something even higher – if the developer can receive so many

concessions to the bylaws, the residents should be granted some allowances too.

- The proposed juniper trees along the fence-line are 4ft tall, and they grow approximately 1 to 2ft per year. Therefore after 10 years they could still only be 14ft tall; this not sufficient for any significant privacy from a 48ft tall building. Other options that might provide a better and more immediate effect should be investigated.

My apologies if any of the items discussed herein do not pertain to the decision of this committee. I have worked diligently to educate myself on this situation, but time is limited, and the issue complex. I'd like it noted that we were supposed to have been given 21 days notice for this hearing (with comments to be submitted one week beforehand), but only received 17.

Thank you for your time and attention.

Respectfully,

Scott Robson
5 Collier St.
St. Catharines ON L2P 2R9
905-

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

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: FW: File No. 60.81.5686 ~ Submission No. A-96/20
Date: Wednesday, November 11, 2020 10:07:44 AM

From: Lorraine Andrew <>
Sent: Wednesday, November 11, 2020 9:42 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Alex Andrew <>; jimmy.cuadro
Subject: File No. 60.81.5686 ~ Submission No. A-96/20

Dear Elaine Munro,

I am writing on behalf of ALEXANDER & ELEANOR ANDREW, homeowners of 11 COLLIER STREET, St. Catharines, Ontario, L2P 2R9 and also for myself, LORRAINE ANDREW and my husband JAIME CUARDO LARA, who are residents at said address, to express surprise and disappointment regarding the proposed development of File No 60.81.5686 19 Beard Place, Part of lot 3008, Corporation Plan No 2. We would like to voice our opposition to the development and/or amendments to Application A-96/20.

Please advise how to proceed. We have questions, comments and would like to request a copy of the Notice of Decision.

Thank you for your attention to this matter. Looking forward to hearing from you.

Best regards,
Lorraine Andrew & Jaime Cuadro Lara
11 Collier Street
St. Catharines, Ont L2P 2R9
905 [REDACTED]

Alexander Andrew & Eleanor Andrew
100 Meredith Drive
St. Catharines, Ont L2M 6C7

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

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 12, 2020

Date of Meeting: November 19, 2020

Report Number: A-96/20

File: 60.81.5686

Subject: 19 Beard Place

Recommendation

That Application **A-96/20** by Go-To St Catharines Beard 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 six-storey, 44-unit apartment building with a combination of outdoor and under-building 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 Lot Frontage	30m	15.25m
2.	Minimum Interior Side Yard	8.88m (half of building height)	7.4m
3.	Minimum Rear Yard Setback	17.76m (height of building)	7.4m
4.	Maximum Building Height	16m	17.9m
5.	Maximum Density per Hectare	99 units per hectare	118 units per hectare
6.	Landscape Buffer for Parking Area	3m	1.9m
7.	Landscape Buffer	No structures	Hydro transformer
8.	Side Yard Set Back for Balcony 1.2m above Grade and Greater	8.88m (half of building height)	7.4m

Location and Site Description

The subject property is located on the north side of Beard Place, between Collier Street and Centennial Gardens. The Argyle Street road allowance also terminates near the northwest corner of the property. The immediate neighbourhood to the west of the subject property is primarily detached dwellings. Three apartment buildings are located to the southwest of the subject property. Centennial Gardens lies to the north, east and south of the subject property. The subject property is presently vacant.

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 and Natural Areas on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential and Natural Areas on Schedule E9. The Natural Areas on the subject property will be dedicated to the City through the site plan control process. No development is proposed to take place within the Natural Areas.

Apartment buildings are permitted within the Medium Density Residential designation at a density range generally between 32 and 99 units per hectare with a maximum height of 20 metres. The density of the proposed apartment building is approximately 118 units per hectare, which will be explored further in the Planning Analysis section.

Zoning By-law (2013-283)

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

Planning Analysis

Variance 1- Lot Frontage

The applicants are proposing an apartment building on a long established existing lot with 15.25 metres of lot frontage on Argyle Street, at the north end of the site. The zoning requires a minimum of 30 metres of lot frontage. The property also abuts the unopened, unimproved eastern terminus of the Beard Place road allowance, to the south end of the site. The Argyle Street frontage is the shortest lot line along a public road, and pursuant to the zoning definition of lot frontage, this is front lot line for this property, despite the fact that this section of Argyle Street is not open nor maintained year round. Approval of this variance will permit the construction of an apartment building on the subject property. The existing lot frontage has existed for many years. There is no opportunity to expand this lot frontage to meet the zoning requirement since development exists on either side of the subject lands.

The proposed reduction in lot frontage has been factored into the layout of the site. Even with a reduced frontage the proposed apartment building does not overwhelm the streetscape. A front yard setback (from Argyle Crescent) of 27.69 metres is proposed for the building. Staff find that the variance has no adverse impact on the site design. The reduced lot frontage is considered desirable for the appropriate use of the subject lands.

The intent of the minimum lot frontage requirement is to ensure appropriate lot shape and size to accommodate specific uses. A minimum lot frontage also ensures that there is appropriate street access to a site and to reduce the visual impact of certain types of developments on streetscapes. The unique layout of the subject property sees that even with a reduced lot frontage, the size of the lot is still appropriate for an apartment building. Likewise, with street access, with two separate access points being proposed that can accommodate two-way traffic and pedestrians. Finally, as mentioned above, a 27.69 metre front yard setback prevents the proposed building from overwhelming the street scape and maintains the appearance of a low-density neighbourhood. 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, a reduced lot frontage for the proposed apartment building will still see the building located a considerable distance from the front lot line and maintain a context-sensitive design. Staff consider the proposed variance to be minor. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variance 1.

Variances 2, 3 and 8 - Setbacks

The applicants are proposing a minimum interior side yard of 7.4 metres instead of the required 8.88 metres (half the height of the building), a minimum rear yard of 7.4 metres instead of 17.76 metres (the full height of the building) and a minimum setback for a balcony 1.2 metres above grade and greater from an interior lot line of 7.4 metres instead of 8.88 metres (half the height of the building). Approval of the variances would permit the construction of the proposed apartment building.

The site is bound on the north and east by natural areas, which have been defined along a "Stable Top of Bank". The "Stable Top of Bank" line will effectively become the interior lot line after the Natural Areas lands are dedicated to the City, as a condition of site plan approval. The applicant proposes to situate the building as close as possible to the 7.5 metre setback line from the "Stable Top of Bank", providing a 22.35 metre setback from the interior lot line shared with detached dwellings. The proposed reductions to the interior side lot line and rear lot line will only directly impact lands that will be dedicated to the City. Since this will be a forested slope incorporated into a larger park area (Centennial Gardens), staff finds the impact to be negligible. The reduced interior and rear yard setbacks are considered desirable for the appropriate use of the subject lands.

The intent of the minimum side yard and rear yard setback requirements are to facilitate drainage and landscaping for the overall site, maintain a privacy buffer for neighbouring properties, and to allow for sufficient outdoor amenity space. Through the site plan control process appropriate City staff have been satisfied that drainage and landscaping can be sufficiently accommodated with these reduced setbacks. Staff are further satisfied that there will be no impact to privacy since the impacted property for these variances will be owned by City. The forested slope will receive only light use by the public once incorporated into Centennial Gardens, meaning there should be no loss of privacy for the proposed apartment building. Finally, with apartment units having balconies, there will already be some outdoor amenity space for residents. Furthermore, an enhanced access to Centennial Gardens at Beard Place is part of this proposal, allowing residents to use the park lands for additional outdoor amenity space. The reductions are considered minor in nature. 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, the impacts of these variances serve to increase the setback of the proposed building from the existing dwellings abutting the site on the west side. In fact, these variances will see a greater-than-required setback between the apartment building and the common lot line with the detached dwellings to the west of the site. This will contribute to a context-appropriate development. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variances 2, 3 and 8.

Variance 4 - Height

The applicants are proposing an increase to the building height from 16 metres to 17.9 metres. The actual height of the building provided in the submitted plans is 17.76 metres, but staff is comfortable with a 14-centimetre increase in height to accommodate minor increases that may be required as building plans are refined and finalized. The increase of 1.9 metres does not constitute a full storey in height above the 16 metres permitted in the zoning by-law, but a reflection of the building design. Approval of the variance will allow construction of the proposed apartment building. The increase is considered minor in nature.

The increase in height will have minimal impact on neighbouring detached dwellings to the west of the subject property. Staff notes that the proposed interior side yard abutting the common lot line shared with these dwellings is 22.35 metres. A required side yard for an apartment building in the R3 zone is half the height of the building, which in this case would be 8.88 metres. With the proposed interior side yard being greater than the total height of the building, staff find that appropriate design measures have been taken to lessen the impact of height. In addition, the site plan process will see a two-metre board fence and a continuous row of eastern red cedars planted along the common lot line, further reducing the impact. The fence and hedgerow will be included in the site plan agreement, which is registered on title to the property. The shadow impact study

submitted with the site plan control application shows that properties to the west of the proposed building will only be within the cast shadow of the building in the early hours of sunlight. Staff find this outcome acceptable since the abutting residential uses will fall outside of any shadows from the building for almost all day.

The intent of the maximum building height is to ensure appropriate building massing, limiting visual impact and shadowing on neighbouring properties. The proposed increase in building height is offset by the increase in the side yard setback to the westerly lot line. This increased setback reduces potential loss of privacy caused by an increase in height, as well and lessens the impact of shadows cast by the building. The increased side yard setback also permits enhanced landscaping to provide increased privacy screening and an appropriate transition in building heights between the proposed apartment building the existing detached dwellings. Staff consider the increase in height to be minor and 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, the impacts on the detached dwellings to the west of the property from an increase in building height are mitigated by site layout and design. Further, Section 8.1.2 of the GCP states that buildings in the medium density designation should generally not exceed 20 metres in height. The proposed building height of 17.9 metres is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variance 4.

Variance 5 - Density

The R3 zone permits apartment buildings on a local road (both Beard Place and Argyle Streets are local roads) with a maximum density of 99 units per hectare. The applicants are proposing a density of 118 units per hectare for the proposed apartment building. At 0.3726 hectares in size, a density of 99 units per hectare would be about 37 units. The apartment building is proposed to 44 units, making the difference between 99 units per hectare and 118 units per hectare about seven units. Approval of the variance would permit the apartment building to be built with seven additional units. The increase in density is considered minor in nature.

The site design demonstrates the additional density (7 units) meets the minimum parking requirements for the total of 44 units (55 parking spaces, including two accessible parking spaces and eight bicycle parking spaces). A loading zone for the building is still being provided. Outdoor amenity space is still being provided, along with enhanced landscaping on the site. City staff indicate that water and wastewater services in the area can accommodate the increased unit count. Similarly, no impacts to road capacities are indicated. Staff find the increase in density desirable for the appropriate use of the subject lands.

The intent of the maximum density provision in the Zoning By-law is to regulate against overdevelopment of a site and ensure that required elements of site design are still maintained. The proposed apartment building continues to meet parking requirements and minimum open space requirements. While reductions are being sought for the easterly interior side yard and rear yard, the westerly interior side yard, front yard and exterior side are well in excess of zoning requirement. Staff find that, on balance, the site is not being overdeveloped, land use impacts are minimal and other requirements of the zoning by-law, triggered by an increase in density, are being met. Staff consider the variance to be minor and maintains the intent of the Zoning By-law.

Section 8.2.1 of the GCP states “Residential development, redevelopment and intensification will be integrated within Low, Medium and High Density residential designations having regard for Part D, Section 7 and all other policies of this Plan.” Therefore, it is worthwhile to compare this proposal against the relevant clauses of Section 7. Clauses omitted below are not deemed germane to this application.

7.1 Development / Redevelopment

Development and redevelopment within the Urban Area shall be evaluated having regard for the following:

a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City’s public realm and open space network.

As part of the site plan control process, the City will be requiring the applicants to undertake upgrades to the Centennial Gardens access at the eastern terminus of Beard Place. This enhanced access will include a sidewalk connection that will benefit the neighbourhood in accessing Centennial Gardens and the linkages provided by the Merritt Trail.

b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.

Same comments as provided for clause (a) are applicable to this clause.

c) Building, site, streetscape and neighbourhood context sensitive design to ensure:

i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;

The proposal has been reviewed by the City’s urban design planner through the site plan control application process against the City’s urban design guidelines as well as broader principles of urban design. The proposed apartment building is undertaking appropriate mitigation measures to ensure compatibility with the surrounding neighbourhood as best as possible.

ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.

City staff are reviewing the proposal for grading, drainage, servicing, street access and traffic circulation through the site plan control process. As discussed in previous sections, parking, height, privacy and protection of natural features are being accommodated. An increase in height and reduction in interior side yard setbacks are being appropriately mitigated through site layout and site plan control.

iv) Adequate and appropriate lot size, shape and configuration, access, on-site facilities and outdoor amenity areas to accommodate use;

The lot size, shape and configuration, as well as site accesses are unique and existing. Challenges in developing the site has resulting in the requested variances, which staff are supportive of. There are appropriate on-site facilities and outdoor amenity areas to accommodate apartment residents.

v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.

With a mix of at-grade, under building parking and surface parking, the site is not overly dominated by parking areas. The parking area is located in a manner that allows perimeter landscaping, including a hedgerow and fencing along the common lot line with detached dwellings to the west of the subject lands.

d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.

Discussions are on-going regarding opportunities for commemorative plaquing for the Collier family homestead and mill at the improved entrance to Centennial Gardens at the eastern end of Beard Place in recognition of the role this site and the surrounding area played in the early history of Grantham Township and St Catharines.

g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.

City staff have reviewed the proposal for water and wastewater servicing capacities and find servicing to be adequate.

h) Surface parking areas should be minimized and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.

Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and friendly active transportation circulation.

The proposed building meets all parking and bicycle parking requirements set out in the zoning by-law. The site will see 15 parking spaces at grade below the building, and 50 parking spaces on the surface. The parking layout largely allows for required landscape buffers and will see use of some greening and sustainable storm water management used. Both street accesses also accommodate a 1.8-metre-wide pedestrian sidewalk.

i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.

City staff have reviewed the proposal for impact on the existing street network and are satisfied enough capacity exists to handle the increase in traffic. The building is within walking distance of a bus route along Westchester Crescent and Oakdale Avenue and is linked to the Merritt Trail through Centennial Gardens.

Staff find that the request to increase density from 99 units per hectare to 118 units per hectare is a measured request that can be accommodated through a minor variance application. Staff also find that this request, and the proposal in general, complies with relevant sections of the GCP. The proposed density of 118 units per hectare is in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variance 5.

Variances 6 and 7 - Landscape Buffer

The applicants are making two requests for variances to the landscape buffer provision for the southwest corner of the site. A landscape buffer of 1.9 metres instead of the required 3 metres is proposed along the exterior lot line. As well, a hydro transformer is proposed to be situated in the landscape buffer, whereas a landscape buffer should be free of structures and operating apparatus. Approval of the variances would permit the parking lot to be constructed as proposed and the hydro transformer to be located in the buffer. These variances are considered minor in nature.

The reduced landscape buffer is required due to the angle of the entrance to the site off Beard Place. The reduced buffer is 1.9 metres at its narrowest point. The full 3 metre landscape buffer width is maintained for most of the buffer's length along the exterior lot line. Since Beard Place in this area functions primarily as an entrance to this property and pedestrian access to Centennial Gardens, there is no discernable impact on surrounding properties.

Similarly, the proposed hydro transformer is located in an area that will have minimal visual impact on both the surrounding neighbourhood and the subject property. While it is in proximity to the lot line shared with detached dwellings, it is located behind an existing detached garage at 13 Collier Street. It will also be located behind the 2-metre privacy fence proposed for the western lot line of the subject lands. Staff is satisfied that both the reduced landscape buffer and placement of the hydro transformer in the landscape buffer is desirable for the appropriate use of the subject lands.

The intent of landscape buffers is to provide opportunities for landscaping to reduce visual impact, noise and loss of privacy from higher-intensity land uses when they abut lower density residential uses and the public realm. Landscape buffers also facilitate site drainage. The applicants have demonstrated that the reduced landscape buffer width and hydro transformer can still uphold the intent of the landscape buffer. Landscaping, including fencing and plantings are still being provided. These changes will largely impact an unopened road allowance that is used for accessing this site. 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 throughout this report, the proposal has a high degree of context sensitive design. The reduced landscape buffer and siting of the hydro transformer are located in an area on the site that will have minimal impact on integration of the apartment building into the neighbourhood. The proposed variances are in keeping with the spirit and intent of the Official Plan.

Staff recommend approval of Variances 6 and 7.

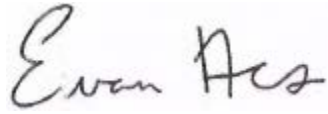
Recommended Condition

To ensure the site is developed in accordance with the plan submitted with the minor variance application, staff recommend the variances be approved subject to a condition that 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.

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-96/20** 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:

A handwritten signature in black ink that reads "Evan Acs". The signature is written in a cursive style with a large 'E' and 'A'.

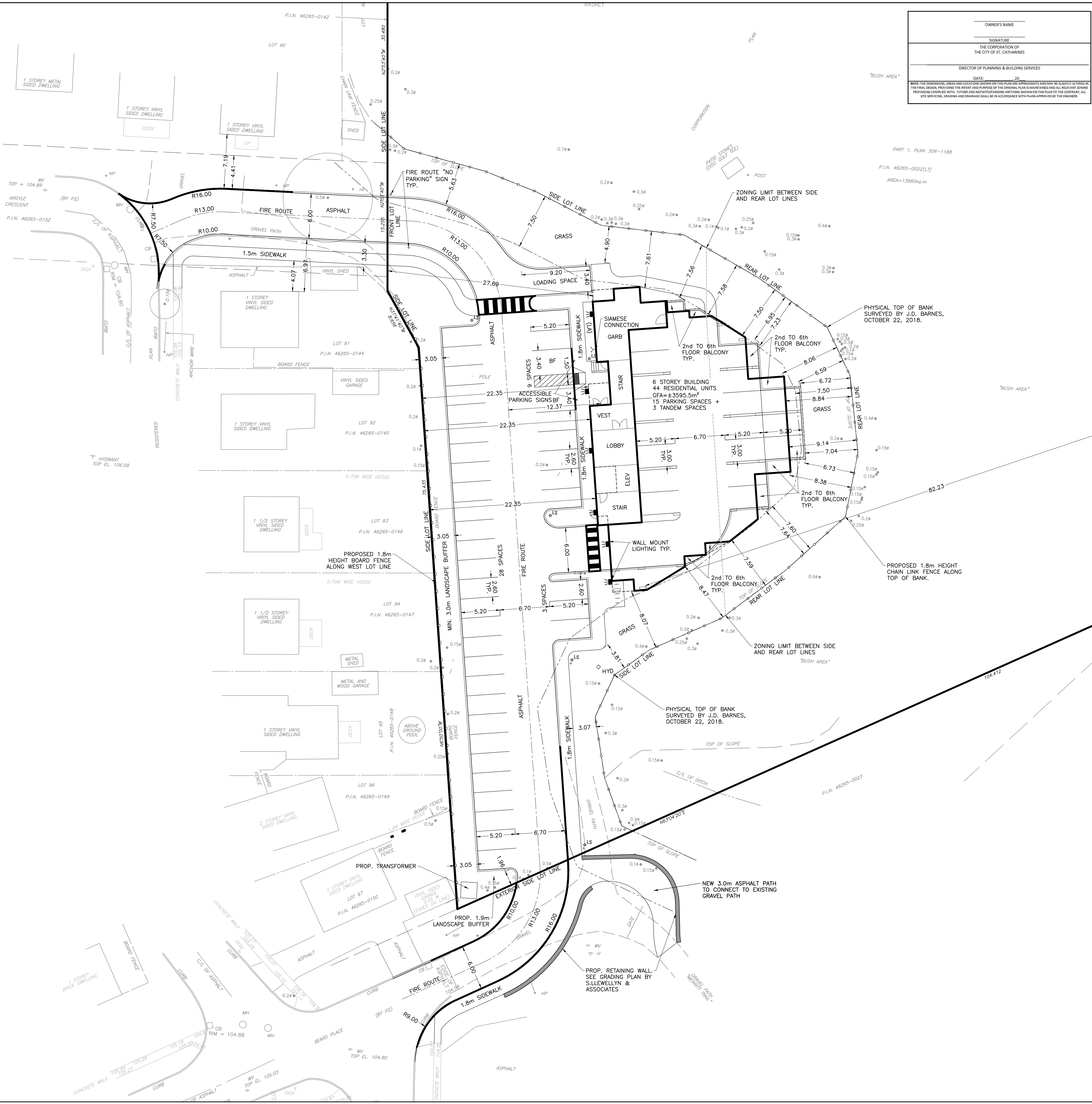
Evan Acs
Planner I

Approved by:

A handwritten signature in blue ink that reads "Judy Pihach". The signature is written in a cursive style with a large 'J' and 'P'.

Judy Pihach
Manager of Planning Services

DEVELOPMENT DETAILS RESIDENTIAL (R3) ZONE			
	REQUIRED	PROVIDED	VARIANCE
APARTMENT BUILDING 44 UNITS			
LOT AREA	N/A	±3,726m²	
MIN. LOT FRONTAGE	30 m	15.25 m	X
FRONT YARD	5.0 m	27.69 m	
REAR YARD	HEIGHT OF THE BUILDING = 17.76 m	7.50 m	X
INTERIOR SIDE YARD	½ HEIGHT OF THE BUILDING = 8.88 m	22.35 m (ABUTTING WEST LOT LINE)	X
EXTERIOR SIDE YARD	5 m	N/A	
MAX. BUILDING HEIGHT	16 m	17.76 m	X
DENSITY PER HECTARE	99 UPH	118 UNITS	X
MIN. LANDSCAPE OPEN SPACE	35% = 1304.1m²	44.6% = 1664m²	
PARKING REQUIREMENTS			
APARTMENT BUILDING 44 UNITS	1.25 SPACES/UNIT = 55 SPACES	55 SPACES	
ACCESSIBLE PARKING SPACES	4% OF THE REQUIRED PARKING (2 SPACES)	2 SPACES	
LANDSCAPE BUFFER PROVISIONS FOR A PARKING AREA BTWN 20-100 PARKING SPACES			
LOT LINE ABUTTING A PUBLIC ROAD (SOUTH)	3.0 m	1.9 m	X
LOT LINE ABUTTING A RESIDENTIAL ZONE (WEST)	3.0 m	3.0 m	
LOT LINE ABUTTING A GREEN SPACE ZONE (EAST)	3.0 m	3.0 m	
BICYCLE PARKING	6 SPACES + 1 FOR EVERY ADDITIONAL 10 UNITS ABOVE 20 = 8 SPACES	8 SPACES	
BICYCLE PARKING SHALL BE LOCATED AT PRINCIPAL ENTRANCE OF A BUILDING	REQUIRED	PROVIDED	
PERMITTED BALCONY ENCROACHMENT			
MIN. SETBACK FROM INTERIOR SIDE LOT LINE (HEIGHT ABOVE THE GRADE 1.2m OR GREATER)	REQUIRED SIDE YARD = 8.88 m	7.56 m	X
MIN. SETBACK FROM REAR LOT LINE (HEIGHT ABOVE THE GRADE 1.2m OR GREATER)	4.5 m	6.59 m	
MAXIMUM AREA	30m²	21m²	



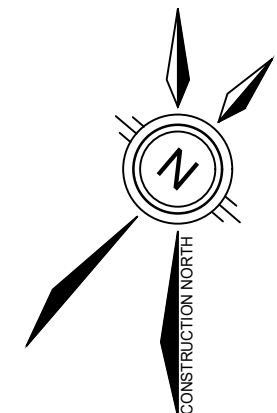
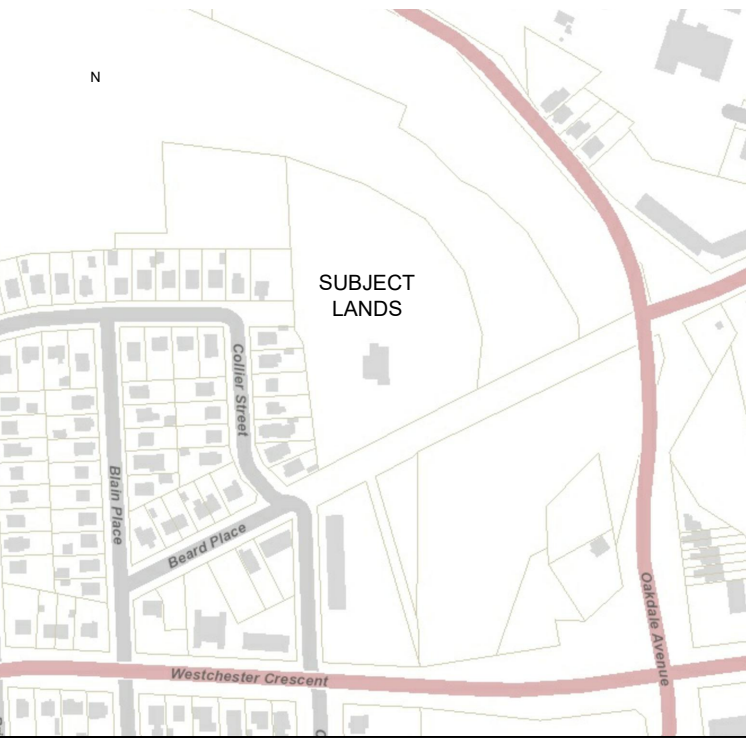
OWNER'S NAME

THE CORPORATION OF
THE CITY OF ST. CATHARINES

DIRECTOR OF PLANNING & BUILDING SERVICES

DATE: 20

NOTE: THE DIMENSIONS, AREA AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN, PROVIDED THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH. FURTHER AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVICES, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS APPROVED BY THE ENGINEER.



NOT FOR CONSTRUCTION

SOURCE:
TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM MATTHEWS,
CAMERON, HEYWOOD - KERRY T. HOWE SURVEYING LIMITED, DWG.
No. 18-16-396-00, DATED OCTOBER 22, 2018.

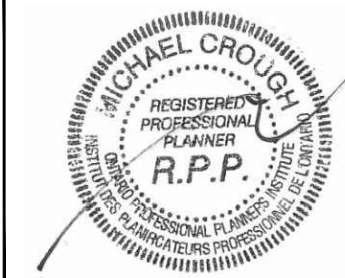


DESIGN BY: J. MARCUS
DRAWN BY: J. MARCUS

CHECKED BY: J. JARIENS
DATE: 2019-11-07

1	2020-09-04	JM	SECOND SITE PLAN SUBMISSION
0	2020-04-13	JM	FIRST SITE PLAN SUBMISSION
#	DATE	BY	DESCRIPTION

DRAWING ISSUE RECORD



APPROVALS

IBI GROUP
200 East Wing-360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010 fax 905 546 1011
ibigroup.com

CITY OF ST. CATHARINES
19 BEARD PLACE

GO-TO ST. CATHARINES
BEARD INC.

SITE PLAN
CITY FILE # 18 116955 SP

FILE NUMBER: 122477 SHEET NUMBER: SP1

April 28, 2020

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

Attention: Evan Acs

File# 18 116955 SP

Re: 19 Beard Pl

In response to your correspondence dated April 23, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

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

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

From: [Vasko, Dennis](#)
To: [Munro, Elaine](#)
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 19/20 CofA Hearing - Email 1 of 2
Date: Friday, October 30, 2020 9:26:41 AM

Hi Elaine,

There are no concerns from our end in respect to closed landfills.

Regards,
Dennis

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

From: Munro, Elaine <emunro@stcatharines.ca>
Sent: Thursday, October 29, 2020 5:00 PM
To: Vasko, Dennis <dvasko@stcatharines.ca>
Subject: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 19/20 CofA Hearing - Email 1 of 2

Good Afternoon Dennis::

Attached please find the Notices, Applications and Sketches for the following consent and minor variance applications that will be heard at the November 21, 2020 Committee of Adjustment Electronic Hearing.

If you have any comments following your review, we would kindly appreciate getting your comments by **Wednesday, November 11, 2020.**

1. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686 – **Email 2.**
2. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323 – **Email 1**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

Any questions, please don't hesitate to contact myself or Wil Banda.

Thanks, Elaine

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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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



Memorandum

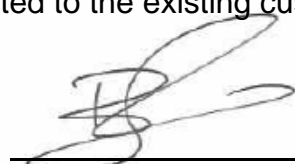
To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

A-97/20 (60.81.5687)

121 South Drive

**DATE OF HEARING:
November 19, 2020**

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Application of Minor Variance
Date: Monday, November 9, 2020 9:12:33 AM

From: Lisa Horvath < >
Sent: Friday, November 6, 2020 12:52 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Application of Minor Variance

Hi Elaine,

My name is Lisa Horvath and I am writing on behalf of my mother Celine Horvath at 124 South Drive in regards to the application of a Minor Variance from 121 South Drive. File No. 60.81.5687 Submission No. A-97/20

My mother Celine Horvath has no issues with this application and is giving her acceptance.

Kind Regards,

Lisa Horvath
on behalf of Celine Horvath
124 South Drive
St.Catharines, Ont.

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

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 12, 2020

Date of Meeting: November 19, 2020

Report Number: A-97/20

File: 60.81.5687

Subject: 121 South Drive

Recommendation

That Application **A-97/20** by Michelle Hellwig, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes to expand the second storey of the existing detached dwelling at 121 South Drive by constructing an addition over the single storey portion located at the rear of the building. The dwelling has an existing deficient exterior side yard setback along the northerly lot line. The following variance is required to permit the second storey addition.

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Exterior Side Yard to Dwelling	3m	1.82m

Location and Site Description

The subject lands are located at the southeast corner of South Drive and Forest Hill Road. The neighbourhood is primarily residential. Dwellings immediately adjacent to the subject property are a mix of one- and two-storey detached homes. In addition to the two-storey detached dwelling to be expanded, there are also a covered patio and inground pool located on the property.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

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

Zoning By-law (2013-283)

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

Planning Analysis

The Applicant has requested a reduction in the minimum exterior side yard setback from 3 metres to 1.82 metres to facilitate a second storey addition to the existing dwelling. The section of the house that the addition is being built on currently sits 1.83 metres from the northerly lot line. However, there is an existing two-storey section of the house that sits still closer to the northerly lot line at 1.08 metres. Approval of the variance would permit a second storey addition to be constructed in line with the existing first-storey, rather than being stepped back an additional 1.17 metres. The reduction is considered minor in nature.

The proposed setback reduction would facilitate an increase in the size of the dwelling. By building in-line with the first storey the building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. The proposed second storey addition will meet all other required setbacks, including to the rear yard and interior side yard. Therefore, staff find that the potential impact of overlook from 121 South Drive into neighbouring yards will be no greater than if the addition was built at the required setback. The reduced setback for the second storey is considered desirable for the appropriate use of the subject lands.

The intent of the 3 metre minimum exterior side yard setback is to ensure that a sufficient buffer is maintained between the public and private realms, facilitate on-site drainage and provide pleasant streetscapes. The requested 1.82 metre setback is already established on the subject property for the ground floor portion the addition is being built atop. Furthermore, other existing portions of the dwelling are closer to the exterior lot line. The proposed second storey addition will not change the existing drainage, streetscape, or buffer between the public and private realms. 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 as they relate to transition in height and privacy. The proposed exterior side yard setback is not uncharacteristic of the area, nor is the proposed second storey. As discussed above, the reduced setback for the second storey is not expected to negatively impact the

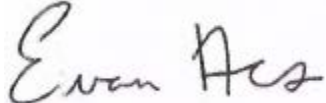
neighbouring properties. The proposal is in keeping with the spirit and intent of the Official Plan.

Staff are of the opinion that Application A-97/20 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. As such, staff recommend approval of Application A-97/20

Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-97/20** 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:



Evan Acs
Planner I

Approved by:



Amanda Knutson
Senior Development Planner
(Planner II)



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

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No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

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The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

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

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

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- 6. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
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24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
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44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

**B-43/20SC (60.84.2320), B-44/20SC
(60.84.2321), B-45/20SC (60.84.2322), A-
98/20 (60.81.5688), A-99/20 (60.81.5689)
& A-100/20 (60.81.5690)**

10 Nash Street

**DATE OF HEARING:
November 19, 2020**



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 12, 2020

Date of Meeting: November 19, 2020

Report Number: **B-43/20SC**
B-44/20SC
B-45/20SC
A-98/20
A-99/20
A-100/20

File: **60.84.2320** (8 Nash Street)
60.84.2321 (10A Nash Street)
60.84.2322 (10B Nash Street)
60.81.5688 (10A Nash Street)
60.81.5689 (10B Nash Street)
60.81.5690 (12 Nash Street)

Subject: 10 Nash Street (to become 8, 10A, 10B and 12 Nash Street)

Recommendation

Consent

That Application **B-43/20SC** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the conditions outlined in Appendix 1.

That Application **B-44/20SC** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the conditions outlined in Appendix 1.

That Application **B-45/20SC** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the conditions outlined in Appendix 1.

Minor Variance

That Variances 1 of submission **A-98/20** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be denied. Staff recommend that in lieu of the requested reduction of the minimum lot area for a semi-detached dwelling from 280 square metres to 265.8 square metres, a reduction from 280 square metres to 258.7 square metres be approved, and that the Committee determines that the revision is minor and that no further notice be issued.

That Variances 1 of submission **A-99/20** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be denied. Staff recommend that in lieu of the requested reduction of the minimum lot area for a semi-detached dwelling from 280 square metres to 265.8 square metres, a reduction from 280 square metres to 258.7 square metres be approved, and that the Committee determines that the revision is minor and that no further notice be issued.

That Variances 1 and 2 of submission **A-100/20** by 1032438 Ontario Inc, as outlined in the Notice of Hearing, be denied. Staff recommend that in lieu of the requested increase of the maximum lot area for a detached dwelling from 465 square metres to 487.7 square

metres, an increase from 465 square metres to 474.6 square metres be approved. Staff further recommend that in lieu of the requested increase of the maximum accessory structure lot coverage from 10 percent to 23.55 percent, an increase from 10 percent to 23.9 percent be approved, and that the Committee determines that the revision is minor and that no further notice be issued.

Report

The Proposal

The Applicant proposes to sever the existing lot at 10 Nash Street into three new lots. A detached dwelling is proposed to be built at 8 Nash Street, while 10A and 10B Nash Street would see a semi-detached dwelling. The retained lot and dwelling would be renumbered to 12 Nash Street. The applicant was advised in at the pre-consultation meeting that the City will be requiring a strip of land across the front of the subject property to be dedicated to the City for future road widenings. The applicants have elected to submit their application without taking this into account. Staff have calculated what the lot areas will be after this road widening is taken and are noted in italics in the tables below. The following Consent Applications have been submitted for consideration:

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-43/20SC	Part 4 (to be known as 8 Nash Street)	346.2 m ² <i>Staff revised to 336.9 m²</i>	Parts 1, 2 & 3	1,019.3 m ² <i>Staff revised to 991.9 m²</i>
B-44/20SC	Part 3 (to be known as 10A Nash Street)	265.8 m ² <i>Staff revised to 258.7 m²</i>	Parts 1 & 2	753.5 m ² <i>Staff revised to 733.3 m²</i>
B-45/20SC	Part 2 (to be known as 10B Nash Street)	265.8 m ² <i>Staff revised to 258.7 m²</i>	Part 1 (to be known as 12 Nash Street)	487.7 m ² <i>Staff revised to 474.6 m²</i>

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

Application	Variance #	Zoning Provision	Required	Proposed
A-98/20 10A Nash Street (Part 3)	1	Minimum Lot Area	280 m ²	265.8 m ² <i>Staff revised to 258.7 m²</i>

A-99/20 10B Nash Street (Part 2)	1	Minimum Lot Area	280 m ²	265.8 m ² <i>Staff revised to 258.7 m²</i>
A-100/20 12 Nash Street (Part 1)	1	Maximum Lot Area	465 m ²	487.7 m ² <i>Staff revised to 474.6 m²</i>
	2	Maximum Accessory Structure Lot Coverage	10%	23.55% <i>Staff revised to 23.9%</i>

Location and Site Description

The subject property is located on the north side of Nash Street, between Pelham Road and Powerview Avenue. The property is surrounded by detached dwellings.

The property is currently occupied by a detached dwelling and an accessory building, which will be retained on Part 1 as 12 Nash Street.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7. Detached and semi-detached dwellings are permitted in this designation at a density range of generally 20 to 32 units per hectare. The proposed density across the gross site is about 30 units per hectare after the road widening strip is considered. 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). Detached and semi-detached dwellings are permitted in this zone.

Planning Analysis

Consent

Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed, and where the

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

Consent Applications **B-44/20SC** and **B-45/20SC** request to sever two lots from the subject property for the purpose of constructing one semi-detached dwelling with each half of the semi on its own lot and each of the units under separate ownership. The proposed lots do not meet the minimum lot area permitted by the Zoning By-law; both 10A and 10B Nash Street will have densities of about 38.6 units per hectares after the road widening strip is considered. While these densities are higher than what is generally permitted in the Low Density Residential designation, where 32 units per hectare is the maximum density, staff note that the proposal meets all other zoning provisions and official plan policies. Staff are satisfied that these densities meet the intent of the GCP. Staff are of the opinion that the scale of the proposed buildings 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.

Consent Application **B-43/20SC** requests to sever a lot from the subject property for the purpose of constructing a detached dwelling. The proposed lot meets the required lot area and frontage established by the zoning by-law and will have a density of about 29.6 units per hectare after the road widening strip is considered.

Staff are satisfied that the three proposed consents are consistent with the Official Plan. Concurrent Minor Variance Applications considered in this report will address lot area and deficiencies identified in for applications **B-44/20SC** and **B-45/20SC**. There are no anticipated impacts as a result of the severances.

Staff are supportive of approval of Consent Applications **B-43/20SC**, **B-44/20SC** and **B-45/20SC**, subject to the conditions outlined in the respective recommendations herein.

Proposed Conditions

In addition to the standard conditions of consent, City staff have requested the following conditions be incorporated into the recommendations for approval of the three consent applications.

The City's urban design planner recommends that the front building wall setback of the three new dwellings should be reduced to align with neighbouring homes (averaging – approximately 4 to 5 metres), but the garage doors will still need to be setback at least 6 metres to comply with zoning provisions.

The City's Community, Recreation and Cultural Services department recommends that the driveway location for the detached dwelling proposed in application **B-43/20** be flipped to the west side of the property to provide some protection to the most southerly private

tree on the subject lands. To achieve this objective, servicing and associated excavation shall be located as far as possible from the base of the retained tree. CRCS staff also suggest the inclusion of tree protection fencing during construction.

Staff are in agreement with both of these proposed conditions and will require a development agreement as a condition of consent to address these issues.

Road Widening

Nash Street is designated a Local road per the City's Official plan with a desired right-of-way width of 20 metres. Its current width along this section is deficient at about 18.28 metres.

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 0.86 metre strip of land across the frontage of the subject property be dedicated as Public Highway Nash Street to obtain half of the desired road allowance width of 20 metres.

As stated above, the applicants were made aware of this requirement at the preconsultation meeting for their proposal and elected to submit plans that do not show the road widening. Staff have calculated what the lot areas will be once the road widening is dedicated to the City and is using these numbers in this report. Staff are not supportive of approving these applications without the condition for the road widening strip to be dedicated to the City.

Minor Variance

Applications A-98/20 and A-99/20

The Applicant has requested a reduction in the minimum lot area for each of the two lots for the semi-detached dwelling. The required minimum lot area for semi-detached dwellings is 280 square metres. The lots that will become 10A and 10B Nash Street are proposed to have a lot area of 258.7 square metres after the road widening strip is considered. Approval of the variances would permit the severance of the new lots at a reduced lot area and permit the development of two semi-detached dwelling units. The reduction is considered minor in nature.

The proposed lot area reduction would facilitate development of the semi-detached dwellings. The proposed semi-detached dwelling is in compliance with all other zoning

requirements and the reduction in lot area will be indiscernible from the street. The resulting building massing is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. The reduced lot areas are considered desirable for the appropriate use of the subject lands.

The intent of the 280 square metre minimum lot area is to ensure that a sufficiently sized yard is provided for semi-detached dwelling units to accommodate parking, facilitate on-site drainage, provide outdoor amenity space and provide an acceptable building envelope for construction. The Applicant has demonstrated that parking, drainage and a building envelope with amenity area can be accommodated on these lots despite the reduced lot area. Staff consider the intent of the Zoning By-law to be upheld.

Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for context sensitive design to ensure the integration of compatible building form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. Adverse impacts on adjacent properties are to be minimized in regard to transition in height and privacy. Staff finds the proposed semi-detached dwellings are able to achieve these policies; they are designed to fit the context of an established neighbourhood. The dwelling units meet side and rear yard setbacks and should not cause any adverse impacts on neighbouring properties. The proposal is in keeping with the intent of the Official Plan.

Staff are of the opinion that Applications A-98/20 and A-99/20 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 Applications **A-98/20** and **A-99/20** at reduced lot areas to account for the strip of land that will be dedicated to the City for road widening.

Application A-100/20

For the retained lot and dwelling, the Applicant has requested an increase in the maximum lot area for a detached dwelling and an increase in the maximum accessory lot coverage. The required maximum lot area for detached dwellings is 465 square metres per dwelling unit, while the lot to become 12 Nash Street will have a lot area of 474.6 square metres after the road widening strip is considered. The maximum accessory structure lot coverage for a residential lot is 10%, The applicant is proposing an accessory lot coverage of 23.9% after the road widening strip is considered. It should be noted the accessory structure is already built. The increase in lot area and accessory structure lot coverage is resulting from the other three lots being created. The increases are considered minor in nature.

The new lots being created had to be designed to ensure both the retained dwelling and accessory building on 12 Nash Street comply with the required setbacks of the R2 zone. The result is that the retained lot is larger than otherwise permitted. The existing accessory building will also be oversized. Since no new development is being proposed in this application the proposed increases should not cause any adverse impacts on surrounding properties. The increases are considered desirable for the appropriate use of the subject lands.

The intent of the 465 square metre maximum lot area is to regulate density and prevent underdevelopment. As discussed above, the proposed densities generally align with the density parameters outlined in the GCP. The geometry of the existing lot and the layout of the proposed lot fabric will result in two lots being slightly undersized and one lot being slightly oversized. Staff consider the intent of the Zoning By-law to be upheld.

The intent of the 10% maximum accessory structure lot coverage is to ensure that lots do not become overwhelmed with accessory structures resulting in adverse impacts on neighbouring lots. It also ensures appropriate drainage for stormwater on the lot. Staff finds that will the retained accessory structure is on the larger side, it meets all other required set backs. A grading plan will need to be submitted as part of the concurrent consent applications, so staff are confident storm drainage can continue to be accommodated on this lot. 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 increased lot area and increased accessory structure lot coverage are able to achieve these policies. The proposed variances contribute to the overall development fitting the context of an established neighbourhood. The proposal is in keeping with the intent of the Official Plan.

Staff are of the opinion that Application A-100/20 is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. As such, staff recommend approval of Application **A-100/20** at a reduced lot area and increased lot coverage to account for the strip of land that will be dedicated to the City for road widening.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-43/20SC**, **B-44/20SC** and **B-45/20SC** are consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents to sever be approved, subject to the conditions outlined in Appendix 1.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance Applications **A-98/20**, **A-99/20** and **A-100/20** should be denied as applied for, but approved as amended in the recommendation as these revised variances 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.

Prepared and Submitted by:

A handwritten signature in black ink that reads "Evan Acs". The signature is written in a cursive, slightly slanted style.

Evan Acs
Planner I

Approved by:

A handwritten signature in black ink that reads "Judy Pihach". The signature is written in a cursive, slightly slanted style.

Judy Pihach
Manager, Planning Services

Appendix 1 – Conditions of Consent

Applications B-43/20SC, B-44/20SC, B-45/20SC

Application B-43/20SC

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 10 Nash Street addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 2, 3 and 4, be submitted to the Director of Planning and Building Services, or designate, illustrating how the following matters have been satisfied:
 - i. that the front building wall setback of the proposed detached and semi-detached dwellings be reduced to generally align with neighbouring dwellings and that the related garage front wall meet the required 6.0 metre front yard setback.
 - b. That the driveway and garage on Part 4 be flipped to the west of the property to protect the existing tree on the eastern lot line and that servicing and associated excavation be located as far as possible from the base of the retained tree.
2. That the Owner have prepared a Reference Plan for review and approval by the City identifying the Part(s) along Nash Street to be dedicated to the City as Public Highway.
3. That the Owner have submitted and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Nash Street.
4. 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.
5. 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.
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 submit a payment for the placement of a 60mm boulevard tree in front of Part 3, in accordance with the City's current Schedule of Rates and Fees.
9. That the Owner submit payment of 5% of the appraised value of Parts 3 and 4, as determined by a qualified appraiser, to the City in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'.

10. 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.
11. 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.
12. That final approval of the concurrent Minor Variance Applications be approved.
13. That all conditions of consent be fulfilled by November 19, 2021.

Application B-44/20SC

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 10 Nash Street addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 2, 3 and 4, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been satisfied:
 - i. that the front building wall setback of the proposed detached and semi-detached dwellings be reduced to generally align with neighbouring dwellings and that the related garage front wall meet the required 6.0 metre front yard setback.
 - b. That the driveway and garage on Part 4 be flipped to the west of the property to protect the existing tree on the eastern lot line and that servicing and associated exaction be located as far as possible from the base of the retained tree.
2. That the Owner have prepared a Reference Plan for review and approval by the City identifying the Part(s) along Nash Street to be dedicated to the City as Public Highway.
3. That the Owner have submitted and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Nash Street.
4. 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.
5. 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.
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 submit a payment for the placement of a 60mm boulevard tree in front of Part 3, in accordance with the City's current Schedule of Rates and Fees.
9. That the Owner submit payment of 5% of the appraised value of Parts 3 and 4, as determined by a qualified appraiser, to the City in lieu of dedication of land for

parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'.

10. 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.
11. 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.
12. That final approval of the concurrent Minor Variance Applications be approved.
13. That all conditions of consent be fulfilled by November 19, 2021.

Application B-45/20SC

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 10 Nash Street addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for Parts 2, 3 and 4, be submitted to the Director of Planning and Building Services, or her designate, illustrating how the following matters have been satisfied:
 - i. that the front building wall setback of the proposed detached and semi-detached dwellings be reduced to generally align with neighbouring dwellings and that the related garage front wall meet the required 6.0 metre front yard setback.
 - b. That the driveway and garage on Part 4 be flipped to the west of the property to protect the existing tree on the eastern lot line and that servicing and associated exaction be located as far as possible from the base of the retained tree.
2. That the Owner have prepared a Reference Plan for review and approval by the City identifying the Part(s) along Nash Street to be dedicated to the City as Public Highway.
3. That the Owner have submitted and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Nash Street.
4. 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.
5. 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.
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 submit a payment for the placement of a 60mm boulevard tree in front of Part 3, in accordance with the City's current Schedule of Rates and Fees.
9. That the Owner submit payment of 5% of the appraised value of Parts 3 and 4, as determined by a qualified appraiser, to the City in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'.
10. 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.
11. 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.
12. That final approval of the concurrent Minor Variance Applications be approved.
13. That all conditions of consent be fulfilled by November 19, 2021.

November 5, 2020

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

Attention: Elaine Munro

File# 60.84.2320, 60.84.2321, 60.84.2322, 60.81.5689, 60.81.5688 & 60.81.5690

Re: 10, 10A and 10B Nash St

In response to your correspondence dated October 28, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

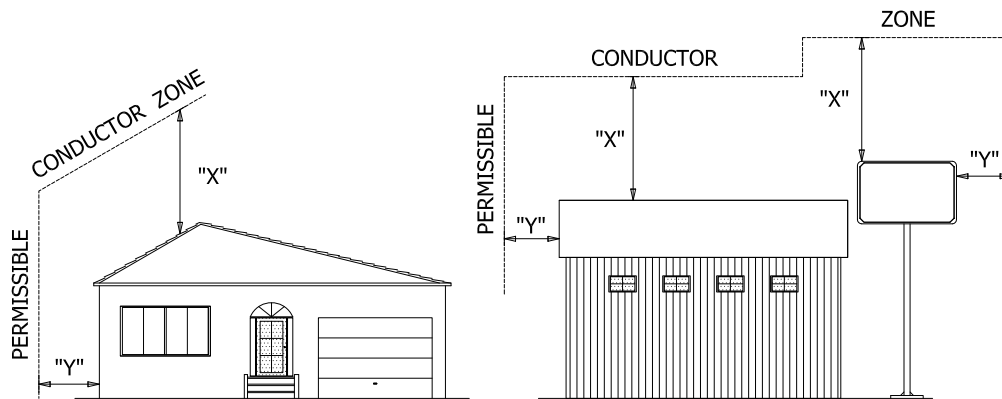
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

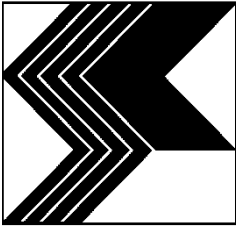
No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-43-45/20SC



November 2, 2020

ENGINEERING FILE 300-36

Hearing Date: November 19, 2020

Applicant: 1032438 Ontario Ltd.

Location: 10 Nash Street

MUNICIPAL SERVICES **Nash Street**

Water: 150mm AC

Sanitary Sewer: 375mm Concrete

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 Part 4 for the proposed construction of a 2-storey dwelling to be known as 8 Nash Street, sever Part 3 creating a new lot known as 10A Nash Street as one-half of a proposed semi-detached dwelling, and sever Part 2 creating a new lot known as 10B Nash Street as the other-half of a proposed semi-detached dwelling. Part 1 would be retained for continued residential use.

Roads Nash 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 18.28m±. Therefore, a road widening of 0.86m shall be dedicated gratuitously to the City along the entire frontage of all parts, free and clear of any encumbrances to be known as Public Highway Nash Street.

 Sidewalks do not exist along the frontage of the subject property at this time. Sidewalk construction on Nash 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.

 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 Nash Street, sump pump flows and roof leaders shall be required to discharge to grade at the front of the proposed dwellings only. This shall be identified on the required lot drainage plan.

There are no indicating records of existing water services to the proposed

Parts 3 & 4, although they are identified as existing lots of record as per Plan TP-94. There are indications of existing sanitary laterals provided to the property lines of Lot 51 and 52, although at an unknown depth, location and material condition. If the Owner wishes to reuse these existing laterals, they shall be responsible to expose and pay to have City forces confirm the locations and conditions of the existing sewer laterals to determine suitability for reuse, and to confirm they do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, or are at depths which require further lowering of these services to accommodate the proposed dwelling units applicable to Parts 3 & 4, the Owner shall be responsible for all costs associated to relocate and/or lower the appropriate portion of these laterals on City property. Any relocation of the services within the City ROW will be completed by City crews at the 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 any building permit.

Condition(s):

Prior to consent, the Owner shall:

- Prepare a Reference Plan for review and approval by the City identifying the Part(s) along Nash Street of 0.86m 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 Nash Street; and
- Pay the fee for City crews to locate, trace, inspect and document the location of the existing sewer laterals for Lots 51 & 52 TP-94 and any water service laterals identified within the Nash Street right-of-way, upon exposure at the property line by the Owner; 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;
- Have prepared by an Ontario Land Surveyor or Professional Engineer, a Lot Grading & Drainage plan for review and approval prior to a Final Certificate of Consent being issued;



Prepared By:

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

Attachments: Nash Street Engineering Drawing (003-282)

c. James Denham, PBS (email only)



Memorandum

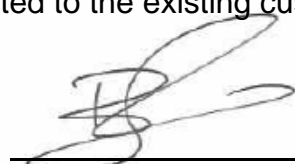
To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

**B-46/20SC (60.84.2323), A-101/20
(60.81.5691) & A-102/20 (60.81.5692)**

22 Oakdale Avenue

**DATE OF HEARING:
November 19, 2020**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 13, 2020

Date of Meeting: November 19, 2020

Report Number: B-46/20SC
A-101/20
A-102/20

File: 60.84.2323
60.81.5691
60.81.5692

Subject: 22 Oakdale Avenue (to become 22 Oakdale Avenue and 24 Oakdale Avenue) - Proposed Severance and Minor Variances

Recommendation

Consent

That Application **B-46/20SC** by Phelps Homes Ltd., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. 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.
2. 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.
3. That final approval of the concurrent Minor Variance Applications A-101/20 & A-102/20 be approved.
4. That all conditions of consent be fulfilled by November 19, 2021.

Minor Variance

That Variance 1 of each of Applications A-101/20 and A-102/20 by Phelps Homes Ltd., as outlined in the Notice of Hearing, be approved.

That Variance 2 of each of Applications A-101/20 and A-102/20 by Phelps Homes Ltd., as outlined in the Notice of Hearing, be denied.

Report

Background

The lot known as 22 Oakdale Avenue was created in 2017 as part of the Merritton Mills plan of subdivision. A semi-detached dwelling has been contemplated on this property since 2014, when Council first granted draft plan approval of the subdivision. In accordance with the Planning Act and the City's Council-endorsed guidelines for land

division, the Applicant's proposal is a candidate for lot creation by way of lifting part lot control, which is not a public process. In any event, given minor variances are also being sought for the proposal, the Applicant has chosen to apply to the Committee of Adjustment for consent to sever. Because of these circumstances, Planning staff waived the normal requirement for pre-consultation.

The Proposal

The Applicant proposes to construct a two-storey semi-detached dwelling on the subject lands now known as 22 Oakdale Avenue. To facilitate the proposal, Application B-46/20SC is made for consent to partial discharge of mortgage and for consent to sever 376 square metres of land (Part 2 on the submitted sketch), creating a new lot to be known as 22 Oakdale Avenue. A second 376 square metre parcel (Part 1), to be known as 24 Oakdale Avenue, will be retained. Each lot will contain one-half of the proposed semi-detached dwelling.

Each of the lots and dwelling units, as designed, requires minor variances from the City's Zoning By-law. Accordingly, the Applicant has submitted concurrent Applications A-101/20 and A-102/20, which seek relief from the City of St. Catharines Zoning By-law 2013-283 as follows:

Application	Variance No.	Zoning Provision	Required	Proposed
A-101/20 (22 Oakdale Avenue, Part 2)	1	Maximum Lot Area	350 m ²	376 m ²
	2	Front Yard, footnote f	The garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling	The garage may protrude 1.2 metres beyond the corresponding wall of the dwelling
A-102/20 (24 Oakdale Avenue, Part 1)	1	Maximum Lot Area	350 m ²	376 m ²
	2	Front Yard, footnote f	The garage shall be flush with, or recessed beyond, the corresponding wall of the dwelling	The garage may protrude 1.2 metres beyond the corresponding wall of the dwelling

Location and Site Description

The subject lands are located on the north side of Oakdale Avenue, west of Ellis Avenue and are surrounded by detached, semi-detached, and townhouse dwellings. Commercial uses are located to the east along Hartzel Road and St. Catharines Fire Station No. 4 is located to the northeast.

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 E9 thereof. Semi-detached dwellings are permitted in this designation at a density range generally between 25 to 99 units per hectare. The proposed semi-detached dwelling represents a density of 26.6 units per hectare, falling within the prescribed density range.

Zoning By-law (2013-283)

The subject property is zoned Medium Density Residential (R3), permitting semi-detached dwellings. The Applicant's proposal, as currently designed, requires variances for both maximum lot area and front yard setback to the garages.

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-46/20SC** requests to sever the subject property to allow for the construction of a semi-detached dwelling, with each of the two units being located on a separate lot. The proposed lots are consistent with the target density range for medium density residential development. Two semi-detached dwelling units on this site have been contemplated since as early as 2014; staff continue to be satisfied that the proposal is appropriate.

Additionally, staff are satisfied that the provisions of the subdivision agreement registered in 2017 will ensure this development proceeds in a manner that maintains compatibility with the surrounding neighbourhood and avoids drainage impacts. Staff do have concerns with the proposed garage projections which will be discussed further in this report through evaluation of the requested minor variances. Given a subdivision agreement has been registered against these lands, and an approved streetscape plan is in place, staff are not recommending the owner be required to enter into a development agreement. As noted in the Background section of this report, the subject lands could have been severed

through part lot control, which process does not trigger the requirement for such an agreement.

Staff are satisfied that the proposed severance is consistent with the Official Plan in that that lots are sufficiently sized and configured to accommodate appropriate and compatible development. Staff are supportive of Consent Application **B-46/20SC**, subject to the conditions outlined in the recommendation.

Minor Variances

Variance 1 of each of Applications A-101/20 and A-102/20

In order to facilitate the proposed severance, the Applicant has requested an increase in lot area for both parcels from 350 square metres to 376 square metres. The intent of the maximum lot area provision is to achieve the density targets prescribed by the Garden City Plan and a relatively consistent lot fabric throughout a neighbourhood.

As noted above, this parcel has been planned for a semi-detached dwelling since 2014 and at the time the plan of subdivision was registered in 2017, it complied with the lot area provisions of the By-law. The proposed density of 26.6 units per hectare falls within the density parameters prescribed by the GCP and, while the subject lands are marginally larger than what is prescribed for a semi-detached dwelling, they are also too small to accommodate a triplex or three townhouse dwellings.

Staff consider the requested minor variances to be desirable, administrative, and minor in nature, and in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of Variance 1 of each of Applications A-101/20 and A-102/20, accordingly.

Variance 2 of each of Applications A-101/20 and A-102/20

The Zoning By-law prohibits the construction of garages that project beyond the front face of the dwelling, as proposed. Where attached garages are provided, they must be flush with or recessed beyond the corresponding building wall. The intent of the By-law provision is to promote a built form and streetscape that are not garage-dominated and building design that is compatible with surrounding building stock.

The Applicant has proposed attached garages which project 1.2 metres into the front yard. None of the existing homes in the immediate vicinity along Oakdale Avenue have attached garages. Homes in the Merritton Mills subdivision do have attached garages, but all are flush with or recessed beyond their front facades. The proposed garage placement would be out of character for the street and is not desirable or compatible. It is staff's opinion that the impact of these projecting garages is not mitigated by the covered porches proposed. Staff also note that there is enough front yard depth on both lots to accommodate an appropriate and compatible design that achieves the required garage setback.

Staff are of the opinion that the requested variances 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. Staff recommend denial of Variance 2 of each of Applications A-101/20 and A-102/20, accordingly.

Conclusion

Having regard for the matters under Section 53 of *The Planning Act*, staff are of the opinion that approval of Application **B-46/20SC** will allow for the creation of two appropriately sized lots that can reasonably accommodate the construction of a compatible semi-detached dwelling. 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 Variance 1 of each of Applications **A-101/20** and **A-102/20** is in keeping with the general intent and purpose of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and function of the lands, but that Variance 2 of each of the Applications is not. Staff recommend approval of the requested variances for lot area, but denial of the requested variances for garage setback.

Prepared and Submitted by:



Amanda Knutson
Senior Development Planner
(Planner II)

Approved by:



Judy Pihach, MCIP, RPP
Manager, Planning Services

November 5, 2020

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

Attention: Elaine Munro

File# 60.84.2323, 60.84.5691 & 60.81.5692

Re: 22 and 24 Oakdale Ave

In response to your correspondence dated October 28, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

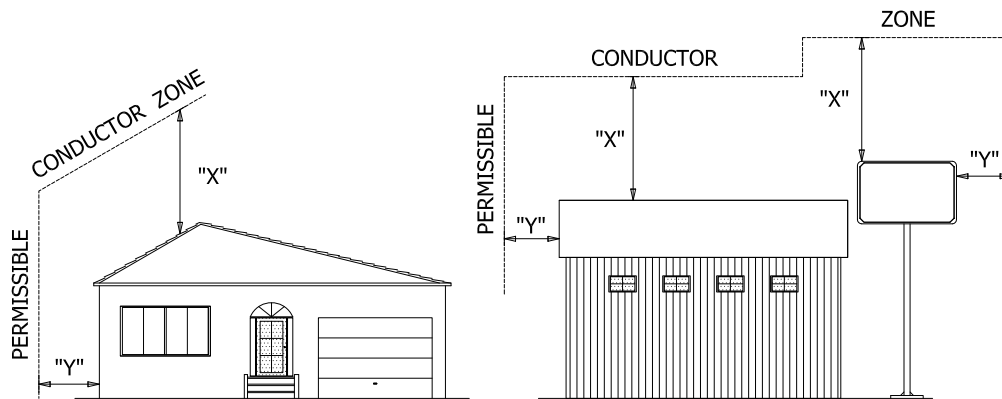
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

From: [Vasko, Dennis](#)
To: [Munro, Elaine](#)
Subject: RE: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 19/20 CofA Hearing - Email 1 of 2
Date: Friday, October 30, 2020 9:26:41 AM

Hi Elaine,

There are no concerns from our end in respect to closed landfills.

Regards,
Dennis

Dennis Vasko

Fill Site Technician

Tel: 905.688.5601 x2163

Email: dvasko@stcatharines.ca

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

Sent: Thursday, October 29, 2020 5:00 PM

To: Vasko, Dennis <dvasko@stcatharines.ca>

Subject: Committee of Adjustment Notices and Applications, City of St. Catharines, for the November 19/20 CofA Hearing - Email 1 of 2

Good Afternoon Dennis::

Attached please find the Notices, Applications and Sketches for the following consent and minor variance applications that will be heard at the November 21, 2020 Committee of Adjustment Electronic Hearing.

If you have any comments following your review, we would kindly appreciate getting your comments by **Wednesday, November 11, 2020**.

1. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686 – **Email 2.**
2. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323 – **Email 1**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

Any questions, please don't hesitate to contact myself or Wil Banda.

Thanks, Elaine

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: [905.688.5601](tel:905.688.5601) x1715

Email: emunro@stcatharines.ca



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

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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.

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24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
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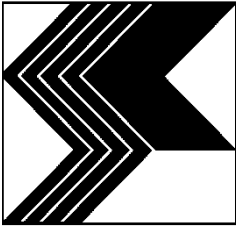
No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-46/20SC



November 3, 2020

ENGINEERING FILE 300-36

Hearing Date: November 19, 2020

Applicant: Phelps Homes Ltd.

Location: 22 Oakdale Avenue

<u>MUNICIPAL SERVICES</u>	<u>Oakdale Avenue</u>	<u>Ellis Avenue</u>
Water:	300mm C.I.	200mm P.V.C.
Sanitary Sewer:	600mm	None.
Storm Sewer:	525mm	None.
Sidewalks:	Yes	Yes
Road Allowance Width:	20m±	23.1m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 creating a new lot known as 24 Oakdale Avenue for one-half of a proposed semi-detached dwelling. A remnant parcel (Part 1) would be retained for the other half of the proposed semi-detached dwelling for residential use.

The subject lands have previously been serviced through the existing plan of subdivision for Merritton Mills. No further servicing or grading requirements shall be justified with this application, as the grading of the properties shall be reviewed against the approved Master Grading scheme for the subdivision and will be further reviewed individually through the building permit application process.

Condition(s): Development Engineering have no further comments nor objections to the approval of this consent application.

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

c. James Denham, PBS (email only)



Memorandum

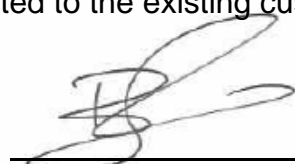
To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

**B-47/20SC (60.84.2324), B-48/20SC
(60.84.2325), A-103/20 (60.81.5693) & A-
104/20 (60.81.5694)**

41 Wiley Street

**DATE OF HEARING:
November 19, 2020**



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 12, 2020

Date of Meeting: November 19, 2020

Report Number: B-47/20SC
B-48/20SC
A-103/20
A-104/20

File: 60.84.2324 (41 Wiley Street)
60.84.2325 (43 Wiley Street)
60.81.5693 (41 Wiley Street)
60.81.5694 (43 Wiley Street)

Subject: 41 and 43 Wiley Street

Recommendation Consent

That Application **B-47/20SC** by 1624751 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. 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 Wiley Street right-of-way.
2. 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.
3. 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; 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.
4. 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.
5. That final approval of the concurrent Minor Variance Applications be approved.
6. That all conditions of consent be fulfilled by November 19, 2021.

That Application **B-48/20SC** by 1624751 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. 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.
2. That final approval of the concurrent Minor Variance Applications be approved.
3. That all conditions of consent be fulfilled by November 19, 2021.

Minor Variance

That Applications **A-103/20** and **A-104/20** by 1624751 Ontario Inc, as outlined in the respective Notices of Hearing, be approved.

Report

The Proposal

The Applicant proposes to sever two lots that had merged on title in error. No new development is proposed and all existing dwellings and accessory structures will remain intact. The applicant also seeks to establish an easement over part of both properties to facilitate a shared driveway. Accordingly, the following Consent Applications have been submitted for consideration:

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-47/20SC	Parts 3 & 4 (41 Wiley Street)	505.1 m ²	Parts 1 & 2 (43 Wiley Street)	278.5 m ²
Application	Easement Over Parcel		Easement to the Benefit of	
B-47/20SC	Part 4 (41 Wiley Street)		Parts 1 & 2 (43 Wiley Street)	
B-48/20SC	Part 2 (43 Wiley Street)		Parts 3 & 4 (41 Wiley Street)	

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

Application	Variance #	Zoning Provision	Required	Proposed
A-103/20 41 Wiley Street (Parts 3 & 4)	1	Maximum Lot Area	465m ²	508.1m ²
A-71/20 43 Wiley Street (Parts 1 & 2)	1	Minimum Lot Area	300m ²	278.5m ²
	2	Minimum Interior Side Yard	1.2m	1.03m (existing)
	3	Minimum Lot Frontage	10m	9.11m
	4	Minimum Setback from Front Lot Line for Platform Structure	3m	1.73m

Location and Site Description

The subject property is located on the west side of Wiley Street, between Junkin Street and Russell Avenue. The property is surrounded by detached dwellings.

The property is currently occupied by two detached dwellings and two accessory buildings. No new buildings are proposed and no existing buildings 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 E5. Detached dwellings are permitted in this designation at a density range of 20 to 32 units per hectare. The proposed density across the gross site is about 25.5 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). 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-47/20SC** requests to sever the subject property for the purpose of re-establishing two lots for two existing detached dwellings. Staff are of the opinion that the area and width of the proposed lots 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.

Consent Application **B-47/20SC** along with consent application **B-48/20SC** proposes to establish easements for the purpose of formally recognizing an existing shared driveway. The proposed easements ensure that each dwelling is able to provide at least one off-street parking space.

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, since the approval of this application re-instates a lot configuration that has existed for decades.

Staff are supportive of Consent Applications **B-47/20SC** and **B-48/20SC** subject to the conditions outlined recommendation herein.

Minor Variances

Application A-103/20

The applicants are requesting to increase the maximum lot area for the proposed lot with the existing detached dwelling, from 465 square metres to 508.1 square metres, being 43 Wiley Street. This lot size generally reflects the former lot area, prior to the lots at 41 and 43 Wiley Street merging on title. The slight increase to the lot area from the pre-merging size permits the larger accessory building on 41 Wiley Street to maintain a proper setback of 0.69 metres from the proposed interior lot line. There will be no discernible impact on surrounding properties. Staff finds this variance to be minor in nature and desirable for the appropriate use of the subject lands. Staff are satisfied that this increase is in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend approval of Variance 1 on Application A-103/20.

Application A-104/20

The applicants are requesting to decrease the minimum lot area for the retained lot for the existing detached dwelling from 300 square metres to 278.5 square metres, being 41 Wiley Road. This lot size roughly follows the former lot area from prior to 41 and 43 Wiley Street merging on title. The slight decrease to the lot area from the pre-merging size permits the larger accessory building on 41 Wiley Street to maintain a proper setback of 0.69 metres from the proposed interior lot line. This has also resulted in a lot frontage that is further deficient from the pre-merging lot size. Despite a lot frontage of 9.11 metres, an off-street parking space at the rear of the dwelling will still be maintained by through creation of an easement through the consent applications.

The applicants are also requesting recognition of two zoning deficiencies. One is for a decrease to the minimum interior side yard from 1.2 metres to 1.03 metres. The second is for a decrease in the minimum setback from the front lot line to a platform structure, in this case the front porch, from 3 metres to 1.73 metres. The deficient side yard was existing prior to the lots merging on title. The deficient setback for the front porch is long existing. Staff find that these requests generally reflect an existing condition and have little if any impact on the neighbourhood.

For all four variances there will be no discernible impact on surrounding properties, and virtually no change for how the property currently functions. Staff finds these variances to be minor in nature and desirable for the appropriate use of the subject lands. Staff are satisfied that the requested variances are in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend approval of Application A-104/20.

Conclusion

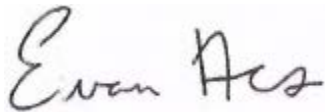
Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-47/20SC** and **B-48/20SC** are consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent to sever and

consent to easement 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-103/20** and **A-104/20** are all in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and function of the lands as one site. Staff recommend that the Applications be approved.

Prepared and Submitted by:

Approved by:

A handwritten signature in black ink that reads "Evan Acs". The signature is written in a cursive, slightly slanted style.

Evan Acs
Planner I

A handwritten signature in blue ink that reads "Judy Pihach". The signature is written in a cursive, slightly slanted style.

Judy Pihach
Manager, Planning Services



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

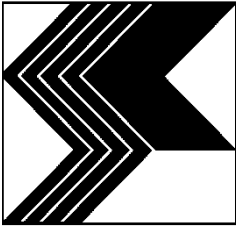
No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-47/20SC



October 21st, 2020

ENGINEERING FILE 300-36

Hearing Date: November 19th, 2020

Applicant: 1624751 Ontario Inc.

Location: 41 & 43 Wiley Street

MUNICIPAL SERVICES

Wiley Street

Water: 150mm C.I.

Sanitary Sewer: 250mm Clay

Storm Sewer: None (combined sewer)

Sidewalks: Both sides

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 Part 2 from Part 1 on the reference plan provided with this application thereby re-establishing two previous lots. The existing houses will remain.

Wiley 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 exist along the frontage of the subject property. Therefore, a contribution to the construction of a future sidewalk across the frontage of the subject property is not required at this time.

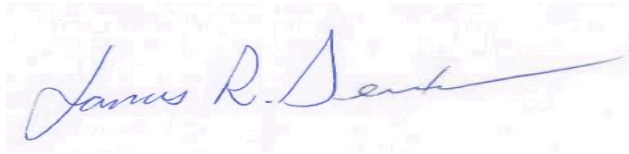
The Owner shall pay to have City forces confirm that both the location and condition of the existing water service and sewer lateral to the existing dwellings are suitable for reuse and do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future 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:

- 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 Wiley 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



Memorandum

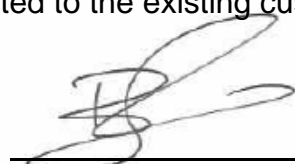
To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
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Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 2020
File No. 305-17-01

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

A-105/20 (60.81.5695)

1024 thru 1036 Vansickle Road North

**DATE OF HEARING:
November 19, 2020**

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Units on Vansickle Rd. N.
Date: Monday, November 9, 2020 2:48:43 PM

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

-----Original Message-----

From: Linda Stull <>
Sent: Monday, November 9, 2020 2:21 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Phillips, Bill <bphillips@stcatharines.ca>
Subject: Units on Vansickle Rd. N.

To whom it may concern.

My name is Linda Stull. I live at 1087 Vansickle Rd. N. I read the notice concerning 78 new units being constructed at the east end of the street. My concern is this. The recent construction on Martindale Rd. created a traffic island that prohibits left turns on to Martindale from Vansickle. Residents must go south on Vansickle to a stop sign at Grapeview, turn left to a stop light on Martindale, and then turn left to go north. Now dozens more vehicles are being added to the mix. The traffic island was a bad idea originally. It is even worse now. Sincerely, Linda. Stull

Sent from my iPad

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: File No. 60.81.5695; Submission A-105/20
Date: Monday, November 9, 2020 3:37:57 PM

Elaine Munro ACST
Committee Secretary and Planning Technician
Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

-----Original Message-----

From: info@esolutionsgroup.ca <info@esolutionsgroup.ca> On Behalf Of Gordon Akilie
Sent: Monday, November 9, 2020 11:54 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: File No. 60.81.5695; Submission A-105/20

Good Morning,

I am a resident on Tuscany Court, which is two lots south of the proposed development. Our street is also very close to another proposed development at 1076 Vansickle Road North.

My chief concern stemming from both proposed developments relates to traffic flow on Vansickle Road North. Collectively, these developments will certainly add a significant number of vehicles to our daily road usage. In the mornings and evenings there will be increased traffic flow south on Vansickle Road North. The stop sign at Grapeview and traffic light at Martindale will see changes in traffic volume and patterns. The one-way turn at Martindale and Vansickle Road North Road will similarly see increased use.

What steps will be taken by the city to ensure Vansickle Road North - and by extension, the surrounding streets, including Tuscany Court - can accommodate the increase in vehicles?

What studies, reports or infrastructure projects will or have been undertaken to ensure the safety of our community, particularly sidewalk users including small children and the elderly?

I look forward to hearing from you on how these important issues will be meaningfully addressed.

Thank you for your consideration.

Sincerely,

Gordon Akilie

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

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: November 11, 2020

Date of Meeting: November 19, 2020

Report Number: A-105/20

File: 60.81.5695

Subject: 1024, 1032, 1034, and 1036 Vansickle Road North

Recommendation

That Application A-105/20 by 11671090 Canada Inc., as outlined in the Notice of Hearing, be approved, subject to the following conditions:

1. That a 24 metre southerly side yard be maintained; and
2. That the lands be developed generally in accordance with the site plan and elevations submitted with this application, attached as Appendices 1 and 2 to this report, and attached to the decision of the Committee.

Report

Background

The properties municipally known as 1024, 1032, 1034, and 1036 Vansickle Road North were the subject of concurrent applications for official plan amendment and zoning by-law amendment in 2015, and later an application for condominium draft plan approval in 2017. Following a series of open houses and public hearings Council granted planning approvals for a 70-unit condominium apartment building on the lands, including site-specific zoning provisions to address building height, setbacks, landscape buffers, density, and other matters. The building was proposed to be terraced, ranging in height from about 10 metres at the south end of the property (3 storeys) to 16 metres at the north end (5 storeys).

A related application for site plan approval was later submitted, reviewed by staff, and presented to the public. Three of the four existing homes were demolished. While detailed designs were eventually accepted by the City, the development did not move forward to construction. The site plan and elevations that relate to the former development proposal are attached for the Committee's information as Appendices 4 and 5, respectively, to this report.

The Proposal

A 78-unit condominium stacked townhouse development is now proposed for these lands, in lieu of the more traditional apartment building previously contemplated. The two L-shaped buildings will each contain 39 dwelling units. Both are of equal size and massing, with step-backs provided at the penthouse level. At their tallest point, the buildings will be

14 metres in height. A small, one-storey building is proposed in the courtyard area and will serve as indoor amenity space for residents of the development. Parking is primarily located underground, with some spaces at grade. Prior to construction of the new buildings, the remaining detached dwelling will be demolished and the four lots will be merged in title. An Application for Site Plan Approval is currently under review.

The following variances are required to facilitate the proposal:

Variance No.	Zoning Provision	Required	Proposed
1.	Minimum Rear Yard	20m	17.7m
2.	Maximum Building Height	11 metres in Area A, as illustrated on Schedule B28	14 metres for a portion of Building B, as shown in green on Appendix 1 of this report
3.	Maximum Building Height	11 metres in Area A, as illustrated on Schedule B28	12 metres for a portion of Building B, as shown in blue on Appendix 1 of this report
4.	Density Per Hectare	Maximum 88 Units	Maximum 98 Units

Location and Site Description

The subject lands are comprised of four contiguous properties: 1024, 1032, 1034, and 1036 Vansickle Road North. Until recently, each of the four parcels contained one detached dwelling; only one remains today, at the north end of the site. The lands are relatively flat, sloping slightly toward the west.

The subject lands are located on the west side of Vansickle Road North, between Martindale Road and Tuscany Court. St. Catharines Fire Station No. 5 is located opposite the subject lands, on the east side of Vansickle Road North. There is also a mix of residential dwelling types in the immediate neighbourhood, as follows:

- detached and semi-detached dwellings, and a three-storey apartment building are located to the north, with a ten-storey apartment building further north;
- detached, semi-detached, townhouse, and quadruplex dwellings are located to the east and south;
- detached dwellings are located to the west, along Huntington Lane.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject lands are designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E6 thereof. A wide range and mix of housing types are permitted in the Medium Density Residential Designation at a density range generally between 25 and 99 units per hectare. The proposed 78-unit stacked townhouse development represents a density of 98 units per hectare and is a permitted use.

Zoning By-law (2013-283)

The subject lands are zoned Medium Density Residential with Special Provision 129 (R3-129). Blocks of stacked townhouses are considered apartment buildings, as defined by Zoning By-law 2013-283. Apartment buildings, and therefore the proposed stacked townhouses, are a permitted use in the R3 Zone.

Special Provision 129, approved by Council in 2015, sets out certain site-specific zoning standards for an apartment building on the subject lands, including minimum yards, maximum building height, minimum landscape buffer widths, maximum density (i.e. unit count), and maximum encroachments for platform structures (i.e. balconies). The Applicant has requested minor variances for certain of these site-specific provisions, as discussed in this report.

Planning Analysis

Variance 1

The Applicant seeks relief from the required minimum rear yard setback of 20 metres in order to accommodate an elevator shaft at the rear of each of Buildings A and B (refer to the site plan attached as Appendix 1). Staff notes that the requested reduction to 17.7 metres relates specifically to the area of the rear elevator shafts and that the remainder of each building complies with the minimum 20 metre setback requirement. The variance is minor in nature.

The intent of the rear yard setback provision is to prevent overlook onto adjacent properties, mitigate the impacts of massing, and to ensure sufficient space is maintained for stormwater management, maintenance, and amenity areas. Staff are satisfied that the location of the elevator shafts 2.3 metres closer to the westerly lot line than the remainder of the new buildings will have no impact on neighbouring properties. The elevator shafts will not contribute in any significant way to the massing of the buildings, nor will they infringe on the privacy of neighbours. The proposed setback is larger than the buildings are tall and will result in a significant amount of space for maintenance, stormwater management, and amenity areas. The requested variance is in keeping with the intent of the Zoning By-law.

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. Although reduced, the proposed 17.7 metre setback (which represents only two pinch points along the overall rear yard) will still provide considerable separation between the new buildings and the adjacent homes along Huntington Lane. Additionally, a 6.0 metre landscape strip along the westerly lot line will provide for a substantial buffer between the proposed mid-rise buildings and the existing lower-rise homes to the west. Staff are satisfied that the proposed rear yard setback is in keeping with spirit and intent of the Official Plan.

The requested reduction in rear yard setback will facilitate the development of 78 new dwelling units on an underutilized site in the urban area with access to services, shopping, and community facilities; the proposal is desirable.

Variances 2 and 3

The site-specific zoning provisions that apply to the subject lands (i.e. Special Provision 129) were specifically formulated based on the size and form of the previous terraced apartment building proposal (refer to Appendices 3 and 4 attached to this report). Because of this, the Zoning By-law prescribes three different maximum building heights for the subject lands, depending on the area of the property in question. From the south end of the site to the north end of the site, the maximum building height for each area illustrated on Schedule B28 of the Zoning By-law is as follows:

- Area A: 11 metres;
- Area B: 14 metres;
- Area C: 16 metres.

The Applicant has requested an increase in building height for portions of Building B that are located within Area A, as described above. One section of the building is proposed at 12 metres and another small section at 14 metres. Refer to the blue and green areas on the attached Appendix 1, which illustrate the proposed variances. The blue area constitutes approximately 189 square metres of floor area or 18 percent of the overall footprint of Building B, and the green area approximately 30 square metres or 3% of the overall footprint of Building B. The variance is considered minor in nature.

The intent of the maximum height provision of the Zoning By-law is to mitigate the impacts of massing and to achieve a gradation in heights, both of which help to ensure a compatible fit. The elevations attached as Appendix 2 illustrate how certain architectural details will mitigate the impacts of height and massing by providing vertical and horizontal relief. The buildings will have a flat roof, substantial glazing, and variations in finish materials. Most notably, the Applicant proposes that the penthouse level be stepped-back substantially from the remaining floors of the building, achieving a gradation in heights across the subject property and between neighbouring uses. Staff are satisfied that the intent of the Zoning By-law will be maintained.

As noted above, 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. Staff note that the minimum southerly side yard required by

the Zoning By-law is 12 metres and that the previous apartment building was designed to this minimum. The site plan attached as Appendix 1 illustrates that the southerly side yard has more than doubled in the current proposal, providing a very generous setback from the adjacent existing detached dwelling to the south. Further, building height at the north end of the site has been reduced from 16 metres, as in the previous proposal, to 14 metres. It is staff's opinion that these are desirable results. In addition to the façade treatments and step-backs discussed above, a more than 25 metre setback will mitigate any impact that might result from the minor increase in building height. Staff are satisfied that the Applicant has achieved a context sensitive design, that a compatible fit within the neighbourhood will be achieved, and that the intent and purpose of the Official Plan will be maintained.

Variance 4

The Applicant seeks relief from the site-specific density provisions of the Zoning By-law that apply to the subject lands. While a maximum density of 88 units is prescribed (70 dwelling units on this property), the Applicant is proposing a density of 98 units per hectare (78 dwelling units on this property).

The site plan and underground parking plans submitted with this Application demonstrate that all required parking for the 78 townhouse units can be provided on-site at the prescribed ratio of 1.25 parking spaces per unit. The Transportation Section of Engineering, Facilities, and Environmental Services is satisfied that there is sufficient capacity on Vansickle Road North and in the surrounding street network to accommodate the additional eight dwelling units sought and that the additional trips resulting from these units will not negatively impact the street network. Further, the Development Section of Planning and Building Services has reviewed and accepted the Functional Servicing Report submitted, which confirms there is capacity in the City's sanitary sewer to accommodate the additional units requested. The requested variance for an increase in density from 88 to 98 units per hectare is minor in nature.


The intent of the density provisions of the Zoning By-law is to achieve the density targets set out in the Garden City Plan, (GCP), which implement the Provincial Growth Plan. Density targets seek to increase the City's housing supply while efficiently using lands and preventing urban sprawl; intensification is directed to serviced lands in the urban area. Section 8.1.2 of the GCP sets out a density range generally between 25 and 99 units per hectare for lands designated Medium Density Residential, such as the subject lands. The site-specific provisions of the Zoning By-law that apply to this property capped density at 88 units per hectare to reflect the 70-unit apartment building proposal and supporting documents submitted for consideration at that time. Staff are satisfied that the new proposal of 78 dwelling units, which equates to 98 units per hectare falls, within the density range prescribed by the GCP and that the intent and purpose of the Zoning By-law and Official Plan will be maintained.

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-105/20** 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 conditions outlined in the recommendation.

Prepared and Submitted by:



Amanda Knutson
Senior Development Planner
(Planner II)

Approved by:



Judy Pihach, MCIP, RPP
Manager, Planning Services

BUILDING A & B		
UNIT TYPES		
ONE BEDROOM	6	
TWO BEDROOM + DEN	6	
TWO BEDROOM + DEN (THREE OPTIONAL)	11	
TOTAL BUILDING A & B (SEPARATELY)	39	
TOTAL BUILDING A & B	78	

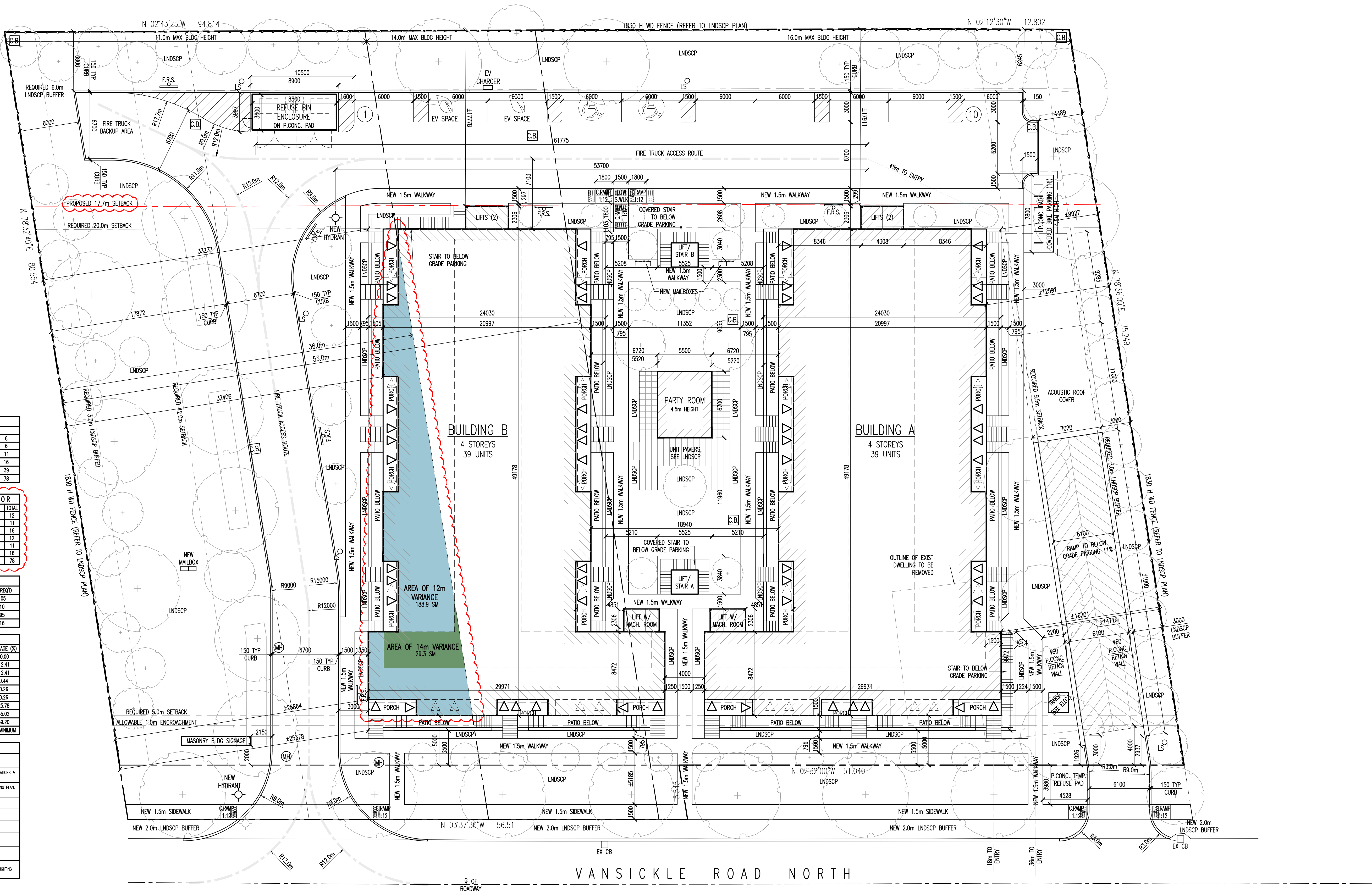
UNIT COUNT PER FLOOR		
FLOOR		TOTAL
BUILDING A - PATIO LEVEL	12	
BUILDING A - MAIN LEVEL	11	
BUILDING A - TERRACE LEVEL	16	
BUILDING B - PATIO LEVEL	12	
BUILDING B - MAIN LEVEL	11	
BUILDING B - TERRACE LEVEL	16	
TOTAL	78	

PARKING COUNT		
1.25 SPACES PER UNIT (78)	98 REQ'D	
PROVIDED	105	
PROVIDED ABOVE GRADE	10	
PROVIDED BELOW GRADE	95	
BICYCLE PROVIDED	16	

COVERAGE CHART		
	AREA (45M)	COVERAGE (%)
LOT	8,363.5	100.00
BUILDING A	1,030.6	+12.41
BUILDING B	1,030.6	+12.41
PARTY ROOM	36.9	+0.44
LIFT/STAIR A	21.2	+0.26
LIFT/STAIR B	21.2	+0.26
TOTAL BLDG COVERAGE	2,140.5	+25.78
PAVED AREA PROPOSED	2,907.9	+35.02
LANDSCAPE PROPOSED	3,255.1	+39.20
LANDSCAPE REQUIRED		35% MINIMUM

LEGEND	
	SITE ENTRY
	BELOW GRADE SITE ENTRY
	WALL MOUNTED LIGHT FIXTURE, REFER TO ELEVATIONS & SITE LIGHTING PLAN BY OTHERS
	RECESSED LIGHT FIXTURE, REFER TO SITE LIGHTING PLAN BY OTHERS
	FIRE ACCESS ROUTE SIGNAGE
	BARRIER FREE PARKING SIGNAGE
	WAY FINDING SIGNAGE
	MAN HOLE, SEE SITE SERVICES DWGS
	CATCH BASIN/DRAIN, SEE SITE SERVICES DWGS

NOTES:
1. ALL COORDINATES WITH SITE SERVICES, GRADING, SITE LIGHTING AND LANDSCAPE ARCHITECT PLANS

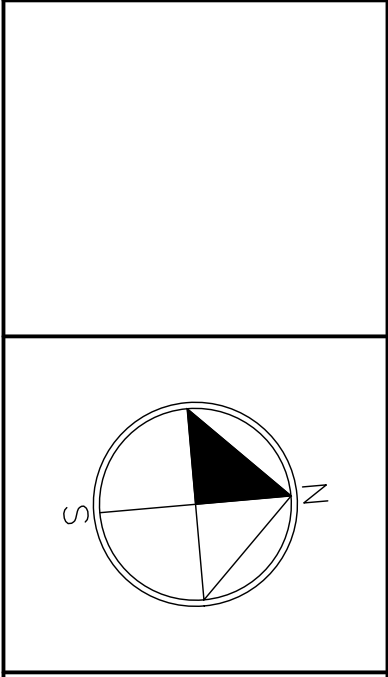


SITE PLAN - STACKED TOWNHOMES

SCALE: 1:200

THESE DOCUMENTS ARE NOT TO BE SCALED.
CONTRACTOR TO SITE VERIFY ALL DETAILS AND DIMENSIONS AND
COMMENCEMENT WITH THAT RELATED PORTION OF THE WORK.
ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED
FOR CONSTRUCTION PURPOSES.

NO.	BY:	DATE:	REVISION:
01	TD	2020-10-07	ISSUED FOR MINOR VARIANCE
02	TD	2020-10-22	ISSUED FOR MINOR VARIANCE



2M architects inc.
115 Lake Street
St. Catharines, ON
Canada L2R 5X7
Tel: 905-687-9777
Fax: 905-687-9997
2Marchitects@cogeo.net
www.2marchitects.ca

drawn by:	TD	job scale:	1:1
design by:	MRM	scale:	AS SHOWN
approved by:	LJM	date:	2020-10-07

project title:
PROPOSED RESIDENTIAL
DEVELOPMENT
1024-1036 VANSICKLE ROAD NORTH
ST. CATHARINES, ON.

revision number:	PROP 10
job number:	20-15
drawing number:	A1

SITE PLAN



BUILDING B - NORTH ELEVATION (COURTYARD ELEVATION)

SCALE: 1:75



BUILDING B - EAST ELEVATION (VANSICKLE RD N)

SCALE: 1:75

2M architects inc.
115 Lake Street
St. Catharines, ON
Canada L2R 5X7
Tel: 905-687-9777
Fax: 905-687-9997
2Marchitects@cogeo.net
www.2marchitects.ca

drawn by: TD
design by: MRM
approved by: LJM
date: 2020-10-07

project title: PROPOSED RESIDENTIAL DEVELOPMENT
1024-1036 VANSICKLE ROAD NORTH
ST. CATHARINES, ON.

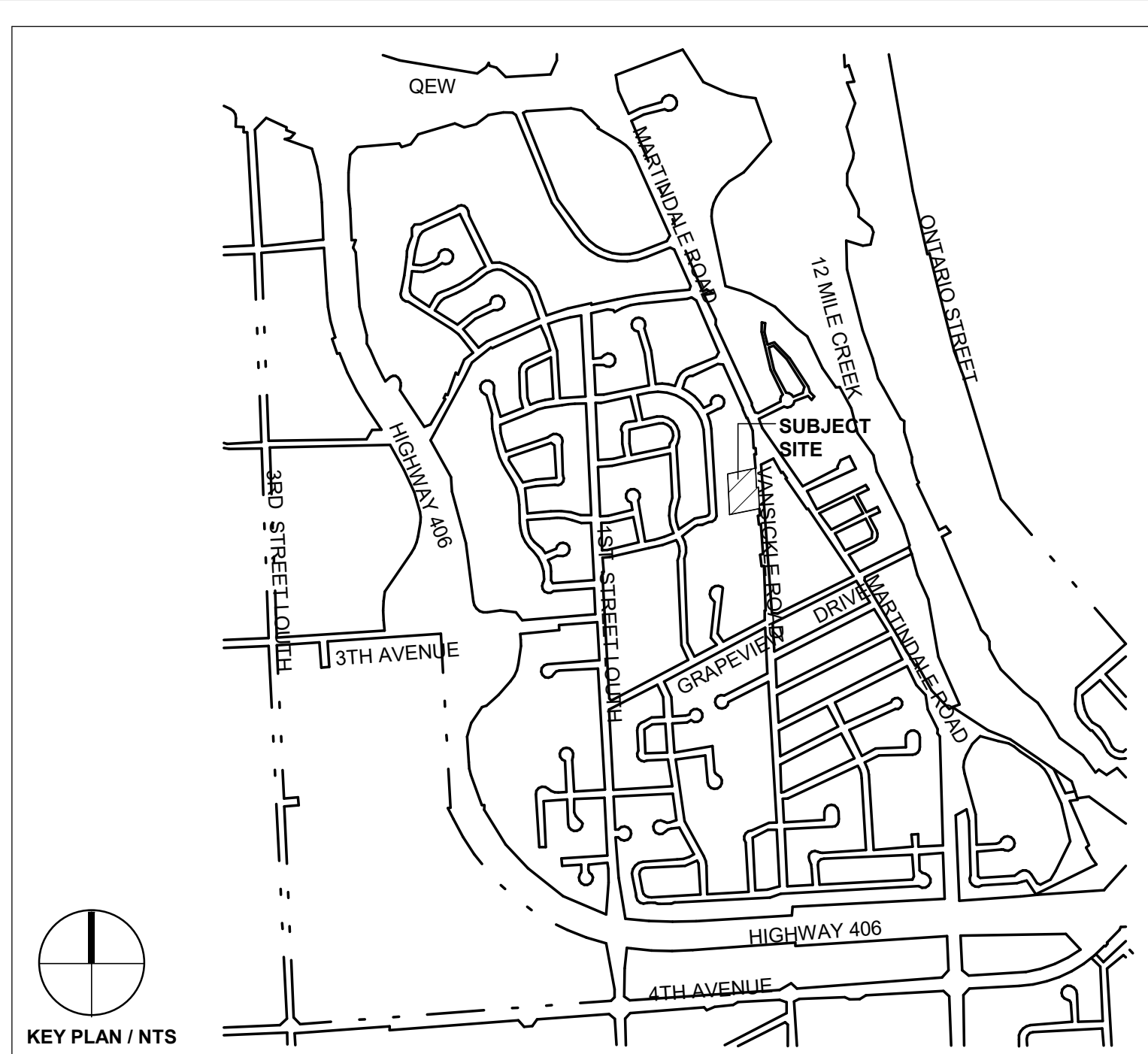
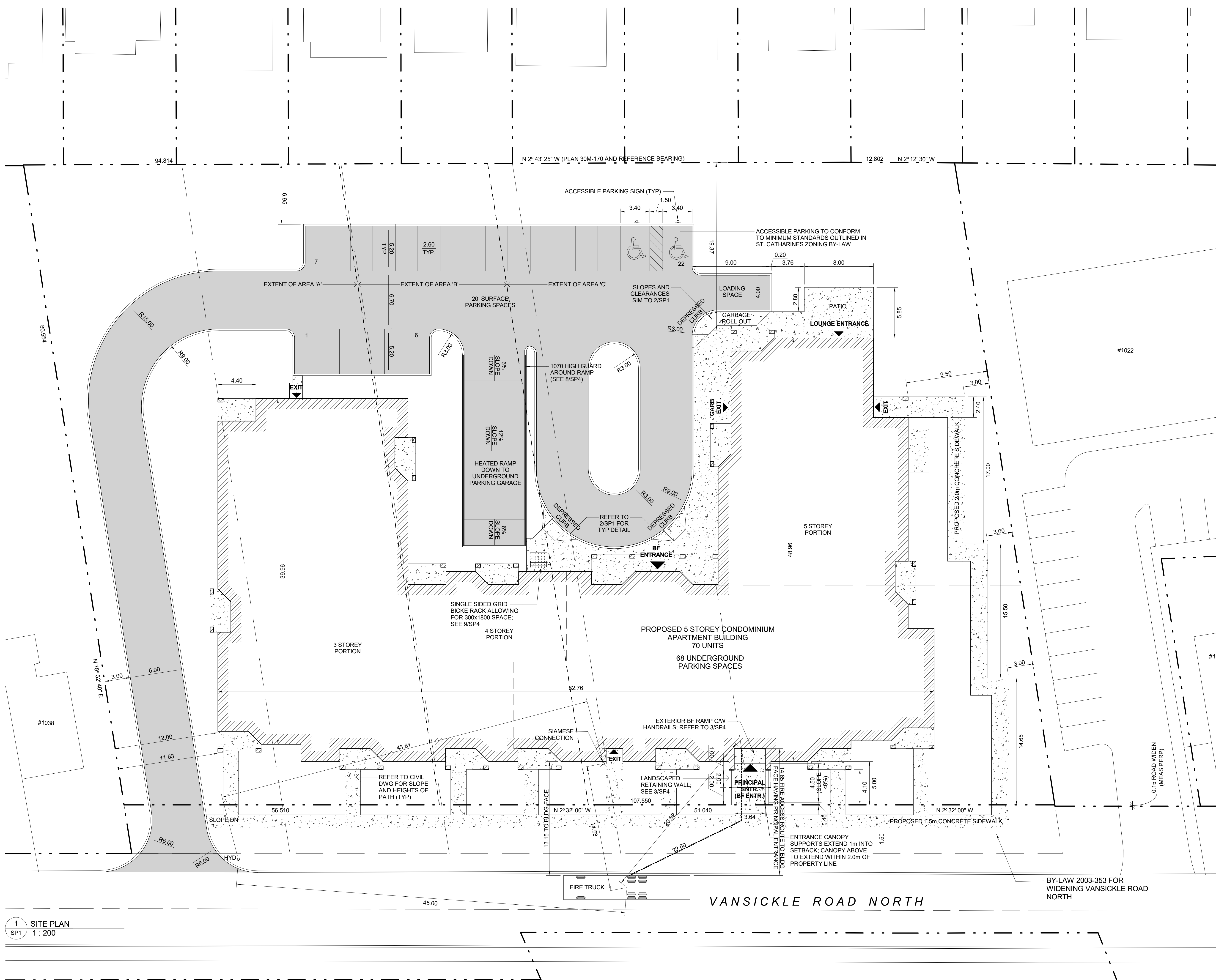
revision number: 20-15
prop 10
drawing number: A2

scale: 1:1
AS SHOWN

building title: BUILDING A - ELEVATIONS

THESE DOCUMENTS ARE NOT TO BE SCALED.
CONTRACTOR TO SITE VERIFY ALL DETAILS AND DIMENSIONS AND
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ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED
FOR CONSTRUCTION PURPOSES.

REVISION:
DATE: 2020-10-07
BY: TD
NO: 01



SITE STATISTICS

DESCRIPTION	AREA(m ²)	PERCENT(%)
SITE TOTAL	7,975	100.00
BUILDING AREA (70 UNITS)	2,610	32.7
PARKING LOT / DRIVEWAY	1,588	19.9
CONCRETE WALKWAY / CURB	663	8.3
LANDSCAPING	3,114	39.1

DENSITY CALCULATIONS

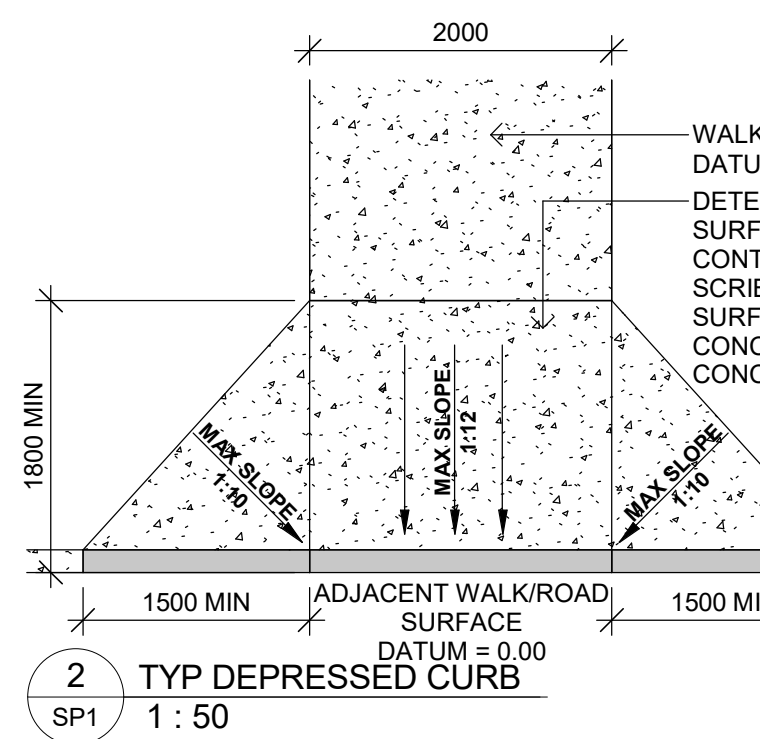
TOTAL UNITS	70
TOTAL SITE AREA	0.7975 hectare
DENSITY	87.78 units per hectare

PARKING

REQUIRED SPACES	88
PROVIDED SPACES	90
SURFACE	22
UNDERGROUND	68
BICYCLE PARKING	12 (6 @ GRADE / 6 UNDERGROUND)

BARRIER FREE DESIGN NOTES

- 3.8.1.2 NUMBER OF BARRIER FREE ENTRANCES**
 - THREE (3) BARRIER FREE PEDESTRIAN ENTRANCES PROVIDED (OUT OF 3 FORMAL ENTRANCES IN TOTAL)
- 3.8.2.2 ACCESS TO PARKING AREA**
 - INTERIOR PARKING ACCESSED BY ELEVATOR FROM THE CORE SERVICES AREA
- 3.8.3.1 ACCESSIBLE SIGNS**
 - ACCESSIBLE SIGNS WILL BE INSTALLED IN CONFORMANCE WITH THIS SECTION
- 3.8.3.2 EXTERIOR WALKS**
 - EXTERIOR WALKS SHALL EXCEED 1:20 SLOPE
- 3.8.3.4 RAMPS**
 - RAMPS TO SLOPE BETWEEN 1:12 & 1:20 SLOPE, WITH REQ'D GUARDS & CURBS



OWNER'S NAME _____

SIGNATURE _____

THE CORPORATION OF THE CITY OF ST. CATHARINES

Jim Riddell, MPI, MCIP, RPP

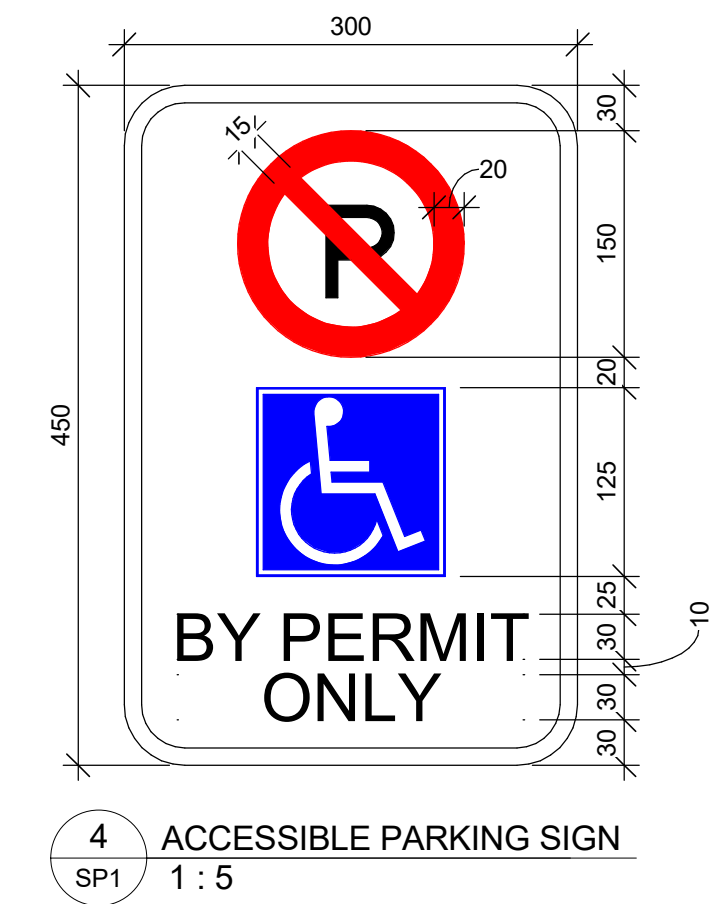
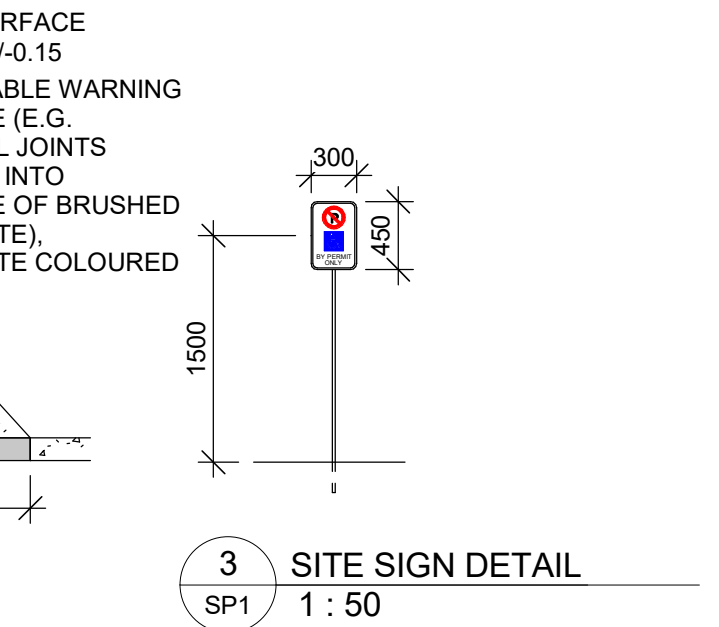
DIRECTOR OF PLANNING AND BUILDING SERVICES

DATE: 20

NOTE: THE DIMENSIONS, AREAS AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN. PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH FURTHER, AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVING, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.

LEGAL SURVEY INFORMATION
PROVIDED ON A SURVEY BY WILLIAM A. MASCOE, ONTARIO LAND SURVEYOR, DATED JULY 3, 2014:

PROPERTIES
PIN PIN 46150 - 0512 LT
DESCRIPTION PART OF LOT 23 CONCESSION 4 GRANTHAM, PARTS 1 & 2 ON 30R-5520 SAVE & EXCEPT PART 1 ON 30R10974; ST CATHARINES
ADDRESS 1024 VANSICKLE ROAD NORTH ST. CATHARINES
PIN PIN 46150 - 0340 LT
DESCRIPTION PT LT 23 CON 4 GRANTHAM AS IN R0486122; ST. CATHARINES
ADDRESS 1032 VANSICKLE ROAD NORTH ST. CATHARINES
PIN PIN 46150 - 0341 LT
DESCRIPTION PT LT 23 CON 4 GRANTHAM AS IN R0413759; ST. CATHARINES
ADDRESS 1034 VANSICKLE ROAD NORTH ST. CATHARINES
PIN PIN 46150 - 0342 LT
DESCRIPTION PT LT 23 CON 4 GRANTHAM AS IN R0688429; ST. CATHARINES
ADDRESS 1036 VANSICKLE ROAD NORTH ST. CATHARINES



E SPA RESUBMISSION	31JUL2017
D SPA RESUBMISSION	31MAY2017 NY
C REVISIONS	17MAY2017 NY
B SPA RESUBMISSION	02MAY2017 NY
A SITE PLAN AGREEMENT	31JAN2017 NY
Issue	Issued for Date Int.

Sheet



Do not scale drawings. Report any discrepancies to Quartek Group Inc. before proceeding.

Drawings must be sealed by the Architect and / or Engineer prior to the use for any building permit applications and / or government approval. Seals must be signed by the Architect and / or Engineer before drawings are used for any construction.

All construction to be in accordance with the current Ontario Building Code and all applicable Ontario regulations.

All drawings and related documents remain the property of Quartek Group Inc., all drawings are protected under copyright and under contract.



Project Title

1030 VANSICKLE CONDO DEVELOPMENT

1030 VANSICKLE ROAD NORTH ST. CATHARINES, ON

Drawing Title

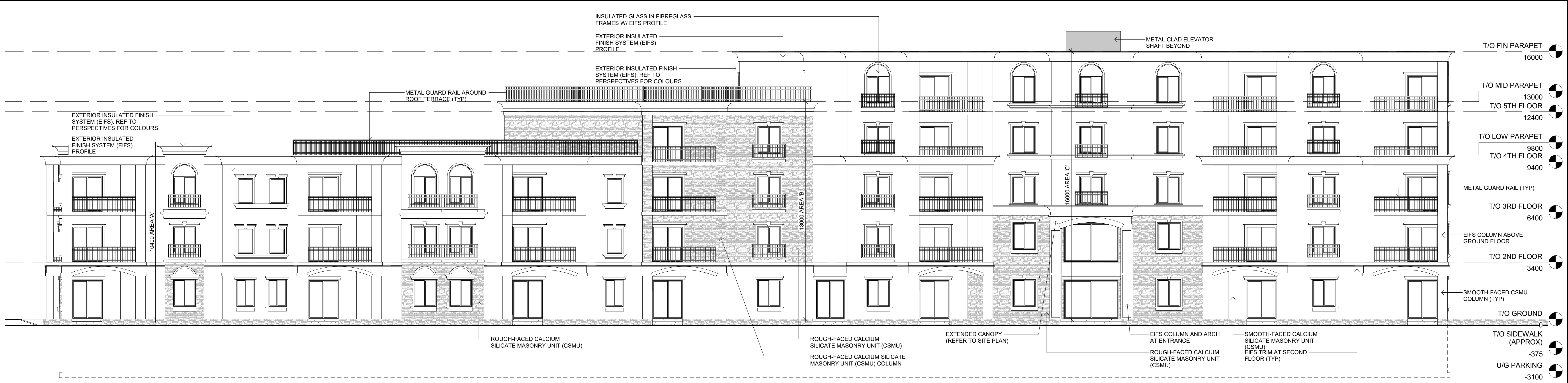
SITE PLAN

Drawn by NY Designed by NY

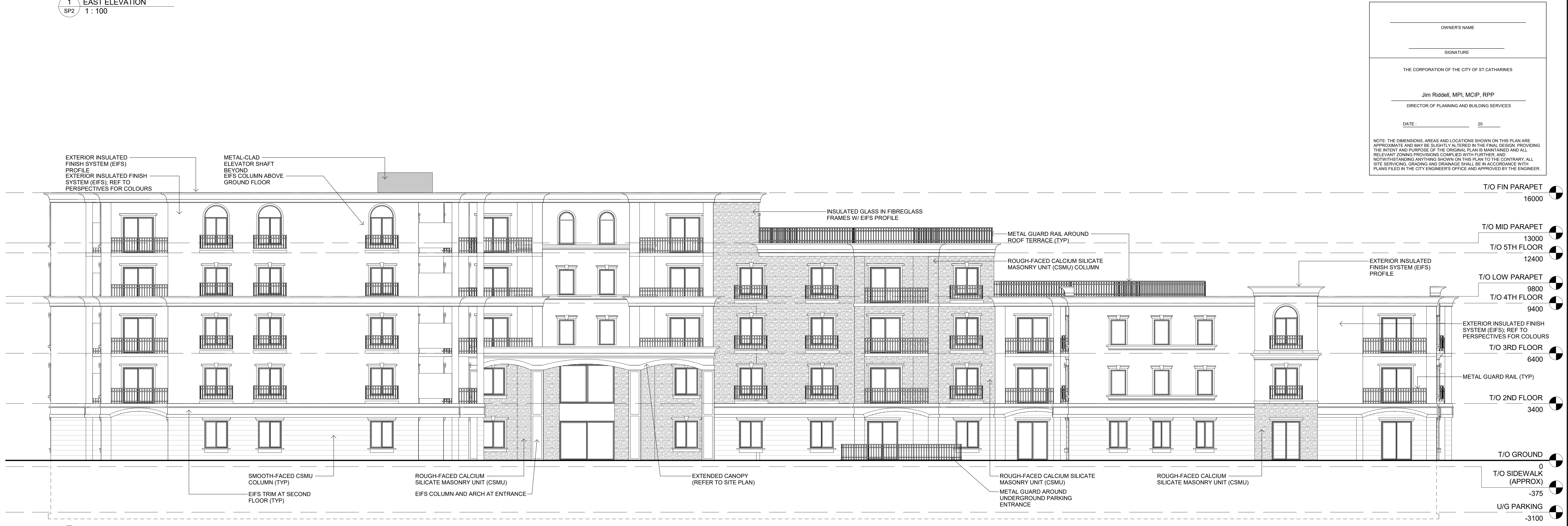
Scale As indicated Date Created 11 MAY 2017

Job Number 15152 Issue E

Drawing Number SP1



1 EAST ELEVATION
SP2 1 : 100



2 WEST ELEVATION
SP2 1 : 100

OWNERS NAME _____

SIGNATURE _____

THE CORPORATION OF THE CITY OF ST. CATHARINES

Jim Riddell, MPI, MCIP, RPP

DIRECTOR OF PLANNING AND BUILDING SERVICES

DATE: _____ 20 _____

NOTE: THE DIMENSIONS, AREAS AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN. PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH FURTHER, AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVISING, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.

D	SPA RESUBMISSION	31JUL2017
C	SPA RESUBMISSION	31MAY2017 NY
B	SPA RESUBMISSION	02MAY2017 NY
A	SITE PLAN AGREEMENT	31JAN2017 NY
Issue	Issued for	Date



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Project Title

1030 VANSICKLE CONDO DEVELOPMENT

1030 VANSICKLE ROAD NORTH
ST CATHARINES, ON

Drawing Title	ELEVATIONS
Drawn by	NY
Designed by	NY
Scale	As indicated
Date Created	11 MAY 2017
Job Number	15152
Issue	D
Drawing Number	SP2



3 NORTH ELEVATION (INTERIOR)
SP3 1: 100

1 NORTH ELEVATION
SP3 1: 100

OWNER'S NAME _____

SIGNATURE _____

THE CORPORATION OF THE CITY OF ST CATHARINES

Jim Riddell, MPI, MCIP, RPP
DIRECTOR OF PLANNING AND BUILDING SERVICES

DATE: 20

NOTE: THE DIMENSIONS, AREAS AND LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE AND MAY BE SLIGHTLY ALTERED IN THE FINAL DESIGN. PROVIDING THE INTENT AND PURPOSE OF THE ORIGINAL PLAN IS MAINTAINED AND ALL RELEVANT ZONING PROVISIONS COMPLIED WITH FURTHER, AND NOTWITHSTANDING ANYTHING SHOWN ON THIS PLAN TO THE CONTRARY, ALL SITE SERVING, GRADING AND DRAINAGE SHALL BE IN ACCORDANCE WITH PLANS FILED IN THE CITY ENGINEER'S OFFICE AND APPROVED BY THE ENGINEER.



4 SOUTH ELEVATION (INTERIOR)
SP3 1: 100

2 SOUTH ELEVATION
SP3 1: 100

D	SPA RESUBMISSION	31JUL2017
C	SPA RESUBMISSION	31MAY2017 NY
B	SPA RESUBMISSION	02MAY2017 NY
A	SITE PLAN AGREEMENT	31JAN2017 NY
Issue	Issued for	Date Int.

Seal



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Quartek

Architects • Planners
Engineers • Project Managers

T 905 984 8676
89 - 91 St. Paul Street, Suite 100,
St. Catharines, ON L2K 3M3
www.quartekgroup.com

Project Title

**1030 VANSICKLE
CONDO DEVELOPMENT**

1030 VANSICKLE ROAD NORTH
ST CATHARINES, ON

Drawing Title

ELEVATIONS

Drawn by NY Designed by NY

Scale Date Created
As indicated 11 MAY 2017

Job Number Issue
15152 D

Drawing Number

SP3

September 22, 2020

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

Attention: Amanda Knutson

Re: 1024-1036 Vansickle Rd N

In response to your correspondence dated September 16, 2020, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 1-877-963-6900 ext: 25713 or visit our web site @ www.alectrautilities.com.
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- Developers to acquire an easement, if required.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

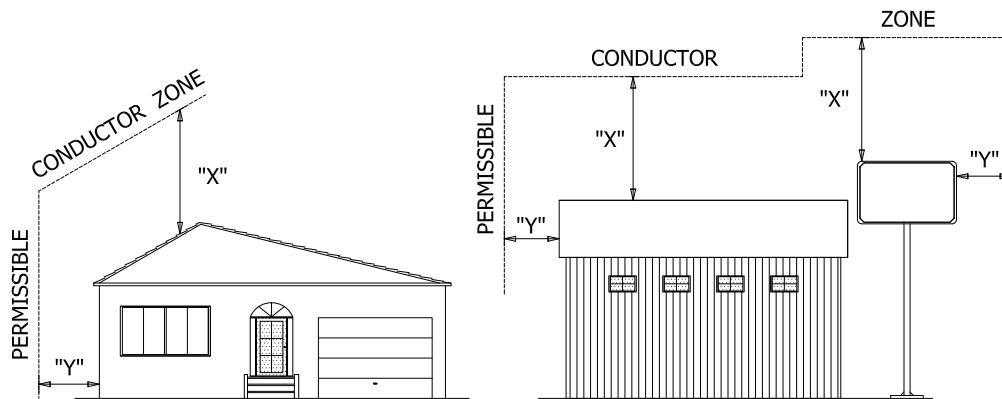
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: October 30, 2020
Subject: Committee of Adjustment Hearing – November 19, 2020

CRCS has reviewed the Committee of Adjustment application for the hearing of October 21, 2020 and provides the following comments;

1. 1076 Vansickle Road North, Minor Variance, A-76/20 – 60.81.5666

As noted in Site Plan review, tree protection fencing and notes shall be shown on and coordinated with the Landscape Plan and Grading and Drainage Plan. Potential conflicts exist adjacent to 2, 14 and 8.

Urban Design guidelines for townhouses on private streets encourage the provision of one tree (generally 60mm dbh) in front of each unit. A minimum of 3.0m is required to support this growth.

- 2. 4 Keswick Street, Consent, B-41/20SC – 60.84.2318**
2 Keswick Street, Minor Variance, A-87/20 – 60.81.5677
4 Keswick Street, Minor Variance, A-88/20 – 60.81.5678

No further comment.

2. 19 Beard Place, Minor Variance, A-96/20 – 60.81.5686

No comment with respect to variances 1-5 and 8. No objection to Variances 6-7. Detailed site design, including landscaping, fencing and park access will be addressed through the Site Plan Review.

3. 121 South Drive, Minor Variance, A-97/20 – 60.81.5687

No comment.

- 5. 10 Nash Street, Consent, B-43/20SC – 60.84.2320**
10 Nash Street, Consent, B-44/20SC – 60.84.2321
10 Nash Street, Consent, B-45/20SC – 60.84.2322
10A Nash Street, Minor Variance, A-98/20 – 60.81.5688
10B Nash Street, Minor Variance, A-99/20 – 60.81.5689

12 Nash Street, Minor Variance, A-100/20 – 60.81.5690

The driveway location of Part 4 can be flipped to provide some protection to the most southerly private tree on the subject lands. To achieve this objective, servicing and associated exaction shall be located as far as possible from the base of the retained tree. CRCS suggests the inclusion of tree protection fencing during construction.

CRCS request that the following be included for each new lot, 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. 22 Oakdale Avenue, Consent, B-46/20SC – 60.84.2323**
22 Oakdale Avenue, Minor Variance, A-101/20 – 60.81.2391
24 Oakdale Avenue, Minor Variance, A-102/20 – 60.81.5692

CRCS requirements have been previously addressed through the Subdivision Agreement.

- 7. 41 Wiley Street, Consent, B-47/20SC – 60.84.2324**
43 Wiley Street, Consent, B-48/20SC – 60.84.2325
41 Wiley Street, Minor Variance, A-103/20 – 60.81.5693
43 Wiley Street, Minor Variance, A-104.20 – 60.81.5694

No comment.

- 8. 1024-1036 Vansickle Road North, A-105/20 – 60.81.5695**

No comment with respect the request variances. Tree protection, landscape design and fencing will be addressed through the Site Plan Agreement.

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



Memorandum

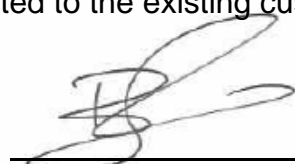
To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: November 3, 2020
Hearing Date: November 19th, 2020
Subject: **Committee of Adjustment - Minor Variance Applications**
1076 Vansickle Road North, A-76/20SC
2 & 4 Keswick Street, A-87&88/20SC
19 Beard Place, A-96/20SC
121 South Drive, A-97/20SC
10A,10B&12 Nash Street A-98,99&100/20SC
22 & 24 Oakdale Avenue, A-101&102/20SC
41 & 43 Wiley Street, A-103&104/20SC
1024-1036 Vansickle Road North, A-105/20SC (REVISED)
44 Runcorn Street, A-91/20SC
48 & 50 Woodland Avenue, A-81&89/20SC

Development Engineering have reviewed the above applications and have no comments except for the following.

Comments:

- 1076 Vansickle Road North, A-76/20SC
As per comments provided through the SPA process, the Owner must finalize the Site Servicing and Grading Plans to the satisfaction of the City's Development Engineering staff to among other things, eliminate conflicts between drainage swales and landscaping;
- 1024-1036 Vansickle Road North, A-105/20SC
Prior to the approval of the Minor Variance application;
 - The Owner shall confirm along with their Consulting Engineer through the submission, review and approval by the City a Functional Servicing Report, that capacity exists within the existing local sewers on Vansickle Road to the Region's Martindale Road trunk sewer for the proposed increase in density of the site, and certify that no negative impacts are created to the existing customers and network;

Prepared by:



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

c. James Denham, PBS (email only)



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: October 29, 2020

Subject: Committee of Adjustment
Public Hearings – November 19, 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