



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, February 1, 2021
Electronic Participation, 6:00 PM**

As part of the City's commitment to safety during the COVID-19 pandemic, this meeting of Council will be held electronically.

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

Public Comments: The public may submit comments regarding agenda matters to the Office of the City Clerk by contacting clerks@stcatharines.ca by Monday, February 1, 2021 before Noon. Comments submitted will be considered as public information and entered into public record.

Electronic Delegations: Those wishing to speak to an item on the agenda must complete the [City's Electronic Delegation Form](#) by Sunday, January 31, 2021 before 11:59 p.m. and attend a test session with City staff on Monday, February 1, 2021 at 10 a.m.

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Declarations of Interest**
- 4. Adoption of the Minutes (Council and General Committee)**
 - 4.1 Regular Council, Minutes of [January 18, 2021](#), and General Committee, Minutes of [January 18, 2021](#).
- 5. Resolve into General Committee**

Council will proceed to General Committee Agenda Item 1 - Motion to Move Reports on Consent

6. Public Meetings Pursuant to Planning Act and Public Notice By-Law

- 5 - 34 6.1 Planning and Building Services, Planning Services
Planning Act Public Meeting – Recommendation Report Application to
Amend Zoning By-law 2013-283 Subject Lands: 119 and 127 Vine
Street S, and 2 Perma Court, Owner: Vince Di Napoli

7. Special Presentations

- 7.1 Niagara Transit Governance Study
Presentation to Council by Matt Robinson, Director Go Implementation
Niagara Region
*(Following the presentation, Council will consider General Agenda
Item 3.2)*

8. Resolve into General Committee

*Council will proceed to General Committee Agenda Item 3 - Discussion
Reports*

9. Motion Arising from In-Camera Session

10. Motion to Ratify Forthwith Recommendations

11. Motions

11.1 Additional Special Council Meetings - CAO Recruitment

Councillor Miller will present the following motion:

At the Council Meeting of January 18, 2021, Council approved Special Meetings of Council be held for the purpose of recruiting the City's new Chief Administrative Officer; and

That the dates and times for these Special Council Meetings be scheduled in accordance with Council and staff availability through the Office of the City Clerk;

THEREFORE BE IT RESOLVED that the following dates will be added to Council's meeting calendar, these meetings will begin at 6:00 p.m. and will be held electronically;

- February 8,
- March 1, and
- March 15, 2021

BE IT FURTHER RESOLVED that the City Clerk be directed to make the necessary notifications.

11.2 Universal Paid Sick Days in Ontario

Councillor Porter will present the following motion:

WHEREAS workers in Ontario without paid sick leave often feel forced to work when unwell so they can feed and support their families and are at risk of losing a paycheque or even their jobs if they stay home; and

WHEREAS the Canada Recovery Sickness Benefit is temporary, not accessible to all and not usable for the crucial first few days of an illness; and

WHEREAS had legislated paid sick leave been in place before the global pandemic, lives would have been saved because infection rates would have been reduced; and

WHEREAS the lack of paid sick days has especially hurt Black, Indigenous, workers of colour, women and migrant workers who are over-represented in low-paying frontline jobs with few benefits and a reduced ability to work from home; and

WHEREAS the Ontario Medical Association, 11 GTHA Mayors and Chairs representing Ontario's largest municipalities, the editorial board of the Toronto Star, the Toronto Board of Health, the Decent Work and Health Network, the Ontario Nurses Association, and several other professional associations representing thousands of healthcare workers have all called on the provincial government to legislate paid sick days;

THEREFORE BE IT RESOLVED that the City of St. Catharines endorses legislated sick leave and calls on the government of Ontario to permanently legislate universal paid sick days for all workers in Ontario during the pandemic and beyond, regardless of workplace size, type of work or immigration status.

[Addenda]

11.3 Staff Direction, Mountain Locks Park

Councillor Littleton will present the following motion:

WHEREAS there has been some interest in the negotiations between the City and the proponents of the proponents of the Mountain Locks Park Parking Partnership on Glendale Avenue, (home to the Keg and other businesses), by the public; and

WHEREAS Council has previously directed staff to host open houses for site plan approvals although, not a legislative requirement; and

WHEREAS it is understood that this parking area is not subject to site plan approval but is rather a development agreement/lease agreement; and

WHEREAS Council strives to be as transparent as possible and responsive to listening to input from our citizens;

THEREFORE BE IT RESOLVED that prior to reporting back to Council, staff be directed to consult with the public, using Engage STC or any other avenue to collect feedback, at a time that they deem appropriate, to allow for public information and comment.

[Addenda]

12. Call for Notices of Motion

13. Report Requests

14. By-laws

14.1 Reading of By-Laws

15. Agencies, Boards, Committee Reports

15.1 Minutes to Receive:

- Anti Racism Advisory Committee, meeting of [January 7, 2021](#) (Draft)
- Equity and Inclusion Advisory Committee, meeting of [January 12, 2021](#) (Draft)

16. Adjournment



Corporate Report City Council

Report from: Planning and Building Services

Report Date: January 22, 2021 **Meeting Date:** February 1, 2021

Report Number: PBS-008-2021 **File:** 19 115431 00 OP
19 115432 00 ZA

Subject: *Planning Act Public Meeting – Recommendation Report*
Application to Amend Zoning By-law 2013-283
Subject Lands: 119 and 127 Vine Street S, and 2 Perma Court
Owner: Vince Di Napoli

Strategic Pillar:



Recommendation

Official Plan

That Council approve an amendment to the City of St. Catharines Official Plan (the Garden City Plan) for the lands described as Lots 4018, 4019, 4020 & Part of Lot 4034 Corporation Plan 2, City of St. Catharines, Region of Niagara, municipally known as 119 and 127 Vine Street S and for the lands described as Lot 12, Plan M73, City of St. Catharines, Region of Niagara, municipally known as 2 Perma Court, as follows:

- a) That Part E, Section 15.2.2 of the Garden City Plan be amended to add new subsections e) and f) as outlined in Appendix 8 of this report; and
- b) That Schedule D1 and Schedule E5, Central Planning District, be amended by changing the land use designation of the lands from Neighbourhood Residential (D1) and Low Density Residential (E5) to Mixed Use as identified in Appendix 11 of this report; and

Zoning By-Law

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands described as described as Lots 4018, 4019, 4020 & Part of Lot 4034 Corporation Plan 2, City of St. Catharines, Region of Niagara, municipally known as 119 and 127 Vine Street S and for the lands described as Lot 12, Plan M73, City of St. Catharines, Region of Niagara, municipally known as 2 Perma Court, as follows:

- a) That Section 15.1, Schedule A (A15), Zoning Maps, be amended by changing the zoning of 119 and 127 Vine Street from Low Density Residential – Traditional Neighbourhood (R2) and Medium Density Mixed Use with Holding Provision H1

(M1-H1), respectively, to Medium Density Mixed Use with Special Provision 160 and Holding Provision H24 (M1-160-H24) as outlined in Appendices 9 and 10; and

- b) That Section 15.1, Schedule A (A15), Zoning Maps, be amended by changing the zoning of 2 Perma Court General Employment (E2) to General Employment with Special Provision 161 (E2-161) as outlined in Appendix 7; and
- c) That Section 13.1 'List of Special Provisions', be amended by adding Special Provisions 160 and 161, as outlined in Appendix 9; and
- d) That Section 14.1, List of Holding Provisions, be amended by adding Holding Provision 24 as outlined in Appendix 10; and

Development Agreement

That the stand alone parking lot proposed for 2 Perma Court be permitted conditional on a Development Agreement to ensure adequate layout of spaces and aisles, grading and drainage, lighting, landscaping and similar elements to ensure it meets City standards.

That the Mayor and City Clerk be authorized to execute the necessary By-laws to give effect to Council's decision; and

That the Notices of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeals Tribunal for consideration and final approval; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Summary

Staff are recommending approval of the subject applications, which will permit, subject to conditions, a light industrial use on lands at 119 and 127 Vine Street South and a standalone parking lot at 2 Perma Court to provide parking for the light industrial use, and potentially for other nearby employment uses. The approval of these amendments supports the continued operation and proposed expansion of Right Industrial Machine, a long-standing light industrial use on Vine Street South.

The applications are consistent with the Provincial Policy Statement, conform to and do not conflict with the Growth Plan for the Greater Golden Horseshoe, and conform to and do not conflict with the Region of Niagara's Official Plan and the City of St. Catharines Official Plan.

Relationship to Strategic Plan

Economic Sustainability: The proposed development supports private investment through new construction on vacant and redevelopment lands.

Report

Proposed Development

Right Industrial Machine, located at 127 Vine Street, is a long-established machine shop that specializes in making precision machine parts for the manufacturing industry. This business is proposing to expand the existing building with a two-storey addition on the adjacent lot to the south at 119 Vine Street South. The current industrial use of the site requires additional parking, which is proposed to be located at 2 Perma Court, across the street. Appendices 2A (119 and 127 Vine Street South) & 2B (2 Perma Court) outline the proposed site layouts.

Location and Site Description

The application applies to three properties. A location map is attached as Appendix 1.

119 and 127 Vine Street South are located on the east side of Vine Street South, south of Welland Avenue. The properties together have an area of approximately 1,904 square metres and approximately 48 metres of frontage along Vine Street South.

Surrounding land uses include:

North: Commercial and residential buildings

East: Industrial properties

South: Residential dwellings

West: Commercial and residential buildings

2 Perma Court is located on the southwest corner of Vine Street South and Perma Court, south of Welland Avenue. The property has an area of approximately 1,644 square metres and approximately 39.5 metres of frontage on Vine Street South and approximately 36 metres of frontage along Perma Court.

Surrounding land uses include:

North: Industrial properties

East: Industrial properties (vacant)

South: Industrial properties

West: Residential Dwellings

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2020), and must conform to Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff have evaluated this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 3.

Provincial Policy Statement (2020)

The Provincial Policy Statement, 2020 (the PPS), provides direction on matters of Provincial interest related to land use planning and development. Section 3(5) of the Planning Act stipulates that decisions of Council "shall be consistent" with the PPS.

The subject lands are located within a Settlement Area under the PPS. Sections of the PPS, which are particularly relevant to the subject proposal, are summarized below.

Settlement Areas

The PPS requires settlement areas to be the focus of growth and development, with land use patterns based on densities and a mix of land uses that efficiently use land, resources, and infrastructure, and which are transit supportive and minimize negative impacts to air quality and climate change, among other matters. A range of uses and opportunities for intensification and redevelopment are to be provided, with planning authorities having the ability to identify suitable locations for growth, subject to appropriate development standards. The subject properties are located within a settlement area.

In this instance, the subject applications facilitate the growth of an established light industry with appropriate development standards. No negative impacts to air quality or climate change will be created by the approval of this application. The proposed parking lot use across the street on Perma Court supports the existing operations and future growth of the current business and is an efficient use of a currently vacant lot. Should market pressures change and the land be more suited to other permitted employment uses, the opportunity to pursue more efficient use of land is maintained.

Land Use Compatibility

The Land Use Compatibility policies of the PPS state that major facilities (including manufacturing uses) and sensitive land uses (including residences) shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. The applicant has submitted a Noise, Vibration and Air Quality Report which has been reviewed and accepted and which concludes that there will be no adverse impacts from noise, vibration or air quality. Any future light industrial use on these lands would be required to submit a similar study. A Holding provision, included in the recommended zoning, is the tool to ensure any light industrial use of these lands must demonstrate no or minimal impact on sensitive land uses in the area.

Implementation and Interpretation

The PPS stresses the importance of official plans and zoning by-laws in implementing the policies of the Province. Land use designations and policies of official plans, along

with development standards of zoning by-laws, are important tools to protect provincial interests and direct development to suitable areas.

PPS Summary Opinion

Staff are of the opinion that the proposed Official Plan Amendment and Zoning By-law Amendment are consistent with the policies of the Provincial Policy Statement in that policies related to land use compatibility, and growth are upheld.

Provincial Growth Plan for the Greater Golden Horseshoe (2020)

Guiding principles within the Growth Plan stress compact and well-designed development that prioritizes intensification. The Plan encourages “flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.” The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, while being sensitive to adjacent areas. The City’s Official Plan and Zoning By-law currently implement this existing framework for St. Catharines.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to the subject applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Adapt to climate change through compact and nodal development;
- Promote high quality built form, attractive / vibrant public realm through site design and urban design standards; and
- Support complete communities.

Growth Plan Summary Opinion

The subject lands are located within a Provincially designated Built Up Area. Growth and development should be directed to established built-up areas to avoid expanding existing urban boundaries where possible by encouraging intensification. The area in which the subject lands are located contains a variety of vacant and underused parcels, including 119 Vine Street South, and 2 Perma Court, both of which are vacant. The proposed expansion of the existing industrial use, and the establishment of a parking lot, both contribute to the growth in this underutilized area. The proposal may contribute to the long-term development of the immediate area and is suitably located within the built-up area using vacant lands more efficiently. The proposed building expansion is subject to site plan approval to ensure appropriate urban design standards. Staff recommend this be achieved for the proposed parking lot by a Development Agreement to regulate parking lot layout, landscaping, grading and drainage and similar site elements to ensure a quality design.

The proposed light industry expansion and parking lot will contribute to a diverse mixed-use neighbourhood and facilitate appropriate infill development within an established area. The policies of the Growth Plan are upheld.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031 / Conformity Amendment), which is the focus of both residential and employment intensification and redevelopment within the Region over the long term.

The ROP directs development to occur in urban areas and support intensified development where appropriate servicing and infrastructure exists. Both Regional and Provincial policy place an emphasis on intensification and infill as the preferred form of development to foster the creation of complete communities that have a mix of land uses. Based on the above, staff consider the applications and proposed development concept to align with Regional policy.

Official Plan (Garden City Plan)

The subject lands are designated as follows (see Appendices 4 and 5):

119 Vine Street South is designated Neighbourhood Residential as per Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential as per Schedule E5 of the GCP. The Low Density Residential designation permits a variety of residential dwelling types at a density of 20 to 32 units per hectare of land. The proposed expansion of an industrial use onto 119 Vine Street S is not permitted in the current residential designation.

127 Vine Street South is designated Mixed Use as per Schedules D1 and E5 of the Garden City Plan. Mixed Use lands are intended to provide for a broad array and mix of medium and higher density housing, work live accommodation, commercial, local office, institutional, indoor recreation, and cultural uses intended to primarily serve the immediate neighbourhood and community population. The existing light industrial use at 127 Vine Street South is not a permitted use, albeit it has been a long standing use in this neighbourhood.

2 Perma Court is designated Employment as per Schedule D1 of the GCP and further designated General Employment as per Schedule E5 of the GCP. The Employment designation permits broad range of business and industrial employment uses. Parking lots are permitted in association with other permitted uses, but a parking lot on its own lot, as proposed in this case, is not permitted.

The Official Plan Amendment application seeks to change the land use designation for 119 and 127 Vine Street South from Neighbourhood Residential and Mixed Use, respectively, to Mixed Use with special permission for a light industrial use, to reflect the existing Right Industrial Machine use and its proposed expansion. The application for 2

Perma Court seeks to include a stand alone parking lot as an additional permitted use within the existing Employment land use designation.

Section 16.1 of the Garden City Plan outlines general policies to be considered in evaluating an Official Plan Amendment application. This application for amendment to the Plan has been evaluated on the basis of those prescribed considerations, as follows:

Garden City Plan Policy (16.1)	Planning Comment
i) The degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan	<p>Part B, 'Vision and Guiding Principles', describes the general intent of the Plan and the basis for which the land use policies of the Plan have been prepared. It establishes priorities including the accommodation of growth and change and achieving a sustainable community. It states that growth will be accommodated by:</p> <ul style="list-style-type: none"> i) the efficient usability of vacant and occupied lands; ii) more compact built form and density of development; iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment; iv) redevelopment and build out of underutilized properties v) a more integrated, interactive mix of uses, activity and functions. vii) design initiatives to support compatible, innovative, efficient and sustainable building, site, streetscape, neighbourhood and community design; and greening. <p>The proposed light industrial use expansion and parking lot together contribute to the efficient use of currently vacant lands, while maintaining compatibility with surrounding uses. Through the site plan approval process for the proposed building expansion and a development agreement for the proposed parking lot, land use compatibility will be maximized.</p>
ii) Consistency with Provincial and upper tier government plans, policies and legislation	As is required of the municipality, Provincial and Regional policies are entrenched in the Garden City Plan, as outlined above and

	throughout this report. The proposal complies with Provincial and Regional land use policies.
iii) The availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use	<p>The proposed expansion of the existing light industrial use is necessary to retain and support a long established light industrial use at this location. The redesignation of a small lot (119 Vine Street South) from a Neighbourhood Residential land use designation to Mixed Use designation, does not compromise the permitted Neighbourhood Residential land use opportunities in the area. The expansion of the existing use is beneficial to employment in the City, and to the economic growth of local business. The expansion appears feasible and desirable.</p> <p>The proposed parking lot is necessary to support the current light industrial use, and accordingly requires special consideration for a location on a separate lot. The proximity of the proposed parking lot to the primary industrial use is reasonable. Should the proposed parking lot be used to support other businesses in the vicinity, as well as the parking for uses at 119 and 127 Vine Street South, that function supports the long term viability of the Employment node in this area.</p>
iv) The compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses	The proposed light industrial building addition, via site plan approval and in accordance with the noise and air quality study submitted, will maximize compatibility with surrounding properties. The proposed parking lot is able to achieve compatibility with land uses in the vicinity via site design standards implemented via a Development Agreement. The formal establishment of the parking lot will not compromise the overall character of the area.
v) The potential of the proposal to cause instability within an area intended to remain stable	Staff do not consider the approval of these applications to trigger instability within the area. The proposed building expansion is an extension of an industrial use that has been part of the area for decades. The establishment of a new parking lot actually supports the stability of the area by supplementing the parking supply in the area.

vi) The ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City	Staff are satisfied that the existing capacity of services is sufficient for the proposed building addition and parking lot.
vii) The financial implications, both cost and revenues, to the City	The approval of this application does not incur costs to the City. The proposed building expansion and new parking lot use will trigger an increase in tax assessment for these lands.
viii) The degree to which approval of the amendment would establish an undesirable precedent	<p>The approval of this application does not establish a precedent. The review is based on the individual context and circumstances of the area.</p> <p>The proposed industrial expansion is not undesirable. It facilitates the growth of an established business, in a manner which will have minimal impact on surrounding uses. The development is context sensitive and appropriate given the established mix of uses in the area.</p> <p>Similarly, the parking lot proposed for 2 Perma Court is desirable based on the context of this application and will not set an undesirable precedent. A Development Agreement I recommended to ensure a high standard of design.</p>

Based on the matters outlined above, staff are satisfied that the proposed Official Plan Amendment meets the intent of the Plan and all other policies contained in the Official Plan and recommend approval.

Zoning By-law

Zoning By-law 2013-283 zones the lands as follows (see Appendix 6):

119 Vine Street South is currently zoned Low Density Residential (R2). The R2 zone permits a variety of residential dwelling types at a density of 20 – 32 units per hectare of land. The proposed expansion of Right Industrial Machine onto this property is not permitted in the R2 zone. As such, the proposal is to change the zoning to Mixed Use (M1) with a new special provision (M1-160) to include a light industrial use as an additional permitted use together with site specific zoning provisions for setbacks and

lot frontage, to match the proposed zoning of 127 Vine Street South. A Holding provision H24 is also recommended to address certain conditions to be met prior to the zoning taking effect.

127 Vine Street South is currently zoned Medium Density Mixed Use with a Holding Provision (M1-H1). The M1 zone permits a range of residential uses that may be standalone or mixed with commercial, recreational or office uses. Holding Provision 1 precludes the zoning of the property from coming into effect until a Record of Site Condition has been filed for the site. As such, the proposal is to change the zoning to Mixed Use Special Provision Holding (M1-160 H24). The special provision (M1-160) is to permit a light industrial use, as an additional permitted use together with site specific zoning provisions, largely reflecting the existing context on site. The Holding provision H24 adds a number of conditions to be met prior to the zoning taking effect.

2 Perma Court is currently zoned General Employment (E2). The E2 zone permits a range of industrial uses. Parking lots are permitted to serve permitted uses but are not listed as permitted primary uses on their own. As such, the proposal is to change the zoning to General Employment (E2) with a new Special Provision (E2-161) to permit parking a parking lot as a primary use on the property

Proposed Zoning By-law Amendment – 119 & 127 Vine Street South

The applicant proposes that 119 and 127 Vine Street South be rezoned to permit the existing light industrial use and to permit an expansion on lands to the south, while maintaining Mixed Use land use permissions in the event the lands redevelop at some point in the future. Staff concur with this approach and recommend the lands be zoned to Medium Density Mixed Use Special Provision Holding (M1-160-H24) as outlined below and in Appendix 7, 9 and 10.

Provisions regarding building height, lot frontage, yard setbacks and landscape buffering are established in Special Provision 160 below to reflect the existing building context and proposed expansion. Parking provisions relate to standard light industrial parking standards and address the proposed off-site parking context. The land use restriction to storage and warehousing uses for the proposed expansion, is to protect against land use impacts on sensitive land uses in the vicinity.

Special Provision	Zone	Schedule A	Location	By-law
160	M1	15	119 and 127 Vine Street South	
Additional permitted use: A light industrial use subject to the following site-specific provisions:				
1.	Maximum Building Height		8 metres	
2.	Minimum Lot Frontage		47.8 metres	
3.	Minimum Front Yard Setback		1 metre	
4.	Minimum Rear Yard Setback		0.4 metres	

5.	Minimum Side Yard Setback (south)	1.2 metres
6.	Minimum Width of Landscape Buffer along a Public Road	3.0 metres save and except where the existing building is located less than 3 metres from the front property line
7.	Minimum Required Parking	1 space for each 100 square metres of gross leasable floor area
8.	As per section 3.2.2 of this By-law, required parking shall be provided on the same lot as the use requiring the parking, or on a lot within 120 m that is not within a residential zone, being 2 Perma Court.	
9.	The two-storey portion of the building comprising the southerly 7 metres of building width is only permitted for storage and warehousing space. No manufacturing is permitted in this portion of the building.	

Setbacks and Frontage

The requested setbacks to the front and rear yards are in line with the location of the existing building. The front yard setback takes into account an anticipated road widening which is to be applied at the Site Plan stage and is discussed in greater detail in the “Circulation of Applications” Section later in this report. These setbacks are considered appropriate to apply to the new addition to the building. The frontage recognizes the overall lot frontage of 119 and 127 Vine Street together. This frontage is sufficient for the use onsite, which has been operating for some time in this location. Staff have no concerns with the frontage and front and rear setbacks shown on the conceptual site plan (Appendix 2A).

The proposed 0.76 metre side yard setback to the south, resulting from the proposed addition to the building, is not considered appropriate in this context. Typically, an industrial use in an Employment zone must be set back 7.5 metres from adjacent residential uses. However, the applicant provided a Noise, Vibration and Air Quality Report indicating that the addition would not bring any negative impact via noise, vibration or air quality to the area as it is to be used for storage. Given that no negative land use impacts are expected and given the proximity of the use to previously existing residential use at 119 Vine Street South, a reduced setback is considered appropriate. However, the setback should not be less than 1.2 metres, which is the setback that would be required if the building were a house. This provides adequate access to the rear and along the side for maintenance of this portion of the building.

There are no privacy concerns on the neighbouring residential property to the south as no windows are proposed along the southerly wall of the addition. The Site Plan process will ensure that windows are not permitted along the southerly building wall of the addition. Staff recommend a 1.2 metre side yard setback be included in Special Provision 160.

Landscape Buffer Adjacent to Parking Areas

The 0.0 metre landscape buffer between the existing parking/access/loading area and Vine Street South, as seen in Appendix 2, represents an existing situation on the

property. If the industrial building existed in an Employment zone, permitting this use, it would require 3 metres of landscape buffering along its street frontage.

With the road widening, there is very little room on site to provide additional landscaping in front of the existing buildings. However, it could be provided in front of the new addition. Additionally, through refining the parking area design there may be opportunities to provide a 3 metre buffer along some portions of the lot frontage. In order to ensure the industrial use is compatible with nearby residential and does not detract from the surrounding neighbourhood, a landscape buffer of 3 metres should be provided along the frontage of the site, save and except where the location of existing buildings do not allow for a full 3 metres between the front face of the building and the property line.

Holding Provision H24

A Holding Provision is a tool that requires certain conditions to be met prior to the land use permissions taking effect. Holding Provision 24 is outlined below and in Appendix 10.

Condition 1 Environmental

The current property is zoned Mixed Use M1-H1, which includes Holding Provision H1. Holding Provision H1 reads as follows:

“An Environmental Site Assessment shall be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of the Environment prior to the removal of the Holding (H) designation.”

This condition is being retained and simply renumbered within the Holding 24 listing in the zoning by-law. It is not a new condition.

Condition 2 Noise, Vibration, Odour and Air Quality/Emissions

The applicant has submitted a study which has been reviewed and approved indicating the existing light industrial use (Right Industrial Machine) and the proposed expansion has minimal impact on sensitive uses in the vicinity, subject to certain conditions. Any future change of use to a different light industrial use shall require a similar study to ensure no additional impact on surrounding sensitive land uses. Such a study has already been accepted for the existing use and the expansion, but any other light industrial use may have different impacts. Providing a study can demonstrate no land use impacts, a different light industrial use would also be permitted.

Condition 3 – Construction of Parking at 2 Perma Court.

In order to ensure parking is constructed in accordance with City standards, a condition requiring the full construction of the parking lot in accordance with the Development Agreement, is required prior to the issuance of a building permit for the proposed building addition. This condition ties the building permit to the parking construction and

avoids a situation where the building permit is issued, and the parking lot does not get constructed.

Holding	Schedule A	Location	By-law
H24	15	119 and 127 Vine Street South	
1.	An Environmental Site Assessment shall be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of the Environment prior to the removal of the Holding (H) designation.		
2.	Prior to any new Light Industrial use of the lands, a Noise, Vibration, Odour and Air Quality/Emissions Study shall be submitted by a qualified professional for review and approval by the City, that demonstrates the proposed Light Industrial use will not negatively impact sensitive land uses in the vicinity (residential, commercial, mixed uses etc.) relating to odour, noise, vibration, and air quality/emissions .		
3.	Prior to the issuance of a building permit for the expansion of the existing light industrial use (Right Industrial Machine), a parking lot at 2 Perma Court, shall be constructed, in full compliance with the Development Agreement, and including all required inspections to the City's satisfaction.		
NOTE: Special Provision 160 also applies to the lands.			

Proposed Zoning By-law Amendment – 2 Perma Court

The applicant further proposes that 2 Perma Court be rezoned from General Employment (E2) to General Employment Special Provision 161 (E2-161), as shown in Appendix 7. This is requested to permit the construction of a stand-alone parking lot for the purpose of providing parking for the existing and proposed light industrial use for lands at 119 and 127 Vine Street South. The proposed zoning enables required parking to be provided off site. The light industrial minimum required parking shall be for the exclusive use of the owner of 119 & 127 Vine Street South.

Special Provision 161 is requested to permit a parking lot as a sole use on the subject property. The Special Provision is detailed below and attached (Appendix 9):

Special Provision	Zone	Schedule A	Location	By-law
161	M1	15	2 Perma Court	
Additional permitted use: standalone parking lot is permitted only where a Development Agreement has been approved and registered on title addressing the layout, landscaping, grading and drainage, lighting and similar site details.				

The proposed zoning amendment to permit a standalone parking lot is considered appropriate by staff. Section 3.16 of the Zoning By-law states that, where permitted by a Special Provision, a standalone parking lot shall have a minimum lot frontage of 12 m and shall be subject to all other provisions of the By-law. As such, the parking lot will be required to meet all applicable setbacks and landscaping requirements for a parking lot of its size. With the registration of a Development Agreement, no compatibility issues are anticipated, and the proposal is in keeping with the relevant policies of the Official Plan, as outlined in this report.

Site Plan Control for Building Expansion

Should the requested amendments to the Official Plan and Zoning By-law be approved, an application for Site Plan Approval will be required for the expansion of light industrial building on Vine Street South.

Site plan control is the City's primary tool for implementing City standards and urban design guidelines; it regulates the placement of buildings, architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. The site plan process will also ensure that all required parking provided on and off of the site is adequate, and that any off-site parking is bound to these lands so that any change in ownership of the lands does not result in a loss of off-site parking. Appendix 2A provides the proposed conceptual site design.

Development Agreement for Stand Alone Parking Lot

A stand alone parking lot is not subject to site plan control since there is no "building". Notwithstanding, certain site design elements need to be implemented to ensure the parking lot meets certain standards for parking lots (layout, landscaping, grading and drainage, lighting etc.). To that end, staff recommends the parking lot be subject to a Development Agreement registered on title to the lands and requiring related securities, to ensure its construction is in accordance with City standards. The Development Agreement is recommended as a condition to the parking lot land use permission in the proposed zoning amendment. This approach ensures a parking lot is only permitted if it is constructed in accordance with City standards. A gravel parking lot, for example, would not be permitted.

An additional public Open House relating to the detailed designs of the sites will be hosted by City staff as part of the site plan/development agreement processes. Through that forum, Planning Services staff and the Applicant will present the refined designs to the public for information purposes. A site plan agreement and development agreement (parking lot only) includes the registration against the title of the lands that will be legally

binding upon the existing and future property owners. The Applicant will be required to post securities to ensure the terms of the agreements are carried out.

Circulation of Applications

The applications were circulated to all relevant departments and agencies in accordance with the Planning Act. No department or agency has objected to the proposed Official Plan and Zoning By-law Amendments. The feedback that has been received is outlined below and has been considered in the recommendation of this report.

Niagara Region

No objection to the proposed Official Plan and Zoning By-law Amendments, provided that the addition to the industrial building on Vine Street South is not for any purpose other than warehousing/storage. The submitted Noise, Vibration and Air Quality report were found acceptable, and based on the proposed addition being a storage space. The Region has recommended that this be incorporated into the zoning for the property.

Community, Recreation and Culture Services (CRCS)

No objection to the proposed Official Plan and Zoning By-law Amendments. The proposed 0.76m setback between the addition and south lot line, will be undersized for the long-term retention of landscaping. CRCS offers no objection in principle to the change of use, subject to the site plan considerations identified below.

A landscape plan, details, schedule and cost estimate, prepared by a qualified Landscape Architect registered with the O.A.L.A. will be required for both sites. These plans shall include landscape screening along the street, sod re-instatement and boulevard trees for those lands not required for vehicular access, and the provision of fencing.

Development Section of Planning and Building Services

Development staff have no objection to the application for Official Plan Amendment and Zoning By-law Amendment. It is anticipated that a 5.43 metre road widening will be taken at the Site Plan stage across the frontage of 119 and 127 Vine Street South to achieve a 20 metre right-of-way width for the local road. This road widening will result in the loss of parking spaces currently located in front of the existing building. Any required parking that is lost on site may be provided in the parking lot proposed at 2 Perma Court, as per Zoning By-law Section 3.2.2 permitting required parking to be provided off-site within 120 metres of the use. Detailed drainage design and servicing drawings will be required through the Site Plan process.

Traffic

No objections to the proposed Official Plan and Zoning By-law Amendments. Traffic staff expressed concern at the location of parking spaces 10, 11 and 12 on 127 Vine Street South, as shown in Appendix 2A. The spaces currently exit out onto Vine Street South, which causes some concerns with visibility. There are no known incidents which have occurred with the ongoing use of these spaces. This matter may be reviewed in more detail at the site plan stage.

Public Consultation

A digital public open house was advertised by Planning and Building Services to take place over the Zoom platform on October 29, 2020. The purpose of the open house was to present the applicant's proposed Official Plan Amendment, Zoning By-law Amendment and conceptual site plans and afford an opportunity for attendees to ask questions and provide comments before staff recommendations are presented to Council for consideration. No members of the public registered to attend the Open House. A slide show with the relevant information and contact information was played for one hour via livestream on the City's Youtube Channel. This video has received over 40 views as of the writing of this report. No written correspondence has been received from the public, and no concerns have been raised.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Local Planning Appeals Tribunal, then the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

There are no financial implications associated with this report.

Environmental Sustainability Implications

The retention of the Holding zoning provision, (H24 condition 1) relating to environmental clean up being required for non-light industrial uses, should they be proposed in the future, maintains the integrity of environmental stewardship on these lands. The requirement for site approval on the Vine Street South lands and a Development Agreement for the Perma Court lands ensures matters such as storm water management are adequately addressed.

Conclusion

In summary, staff are recommending approval of the proposed Official Plan Amendment and Zoning By-law Amendment and Development Agreement requirement, subject to the recommendations set out in this report. The amendments would permit a more efficient use of lands, permit a long standing light industrial use and its expansion, and support the thereby support the local economy.

This Applications for Official Plan Amendment and Zoning By-law Amendment have regard for matters of provincial interest, are consistent with the Provincial Policy Statement, conform to and do not conflict with the Growth Plan for the Greater Golden

Horseshoe, and conform to and do not conflict with both the Region of Niagara's Official Plan and the City of St. Catharines Official Plan, subject to the staff recommendations herein.

Notifications

It is in order to advise Stephen Bedford, Landx Developments Ltd., 293-1235 Fairview Street, Burlington Ontario Street, ON L7S 2K9, the owner's agent.

Prepared by

Charlotte McEwan, MCIP, RPP
Planner I

Submitted by

Judy Pihach, MCIP, RPP
Manager, Planning Services

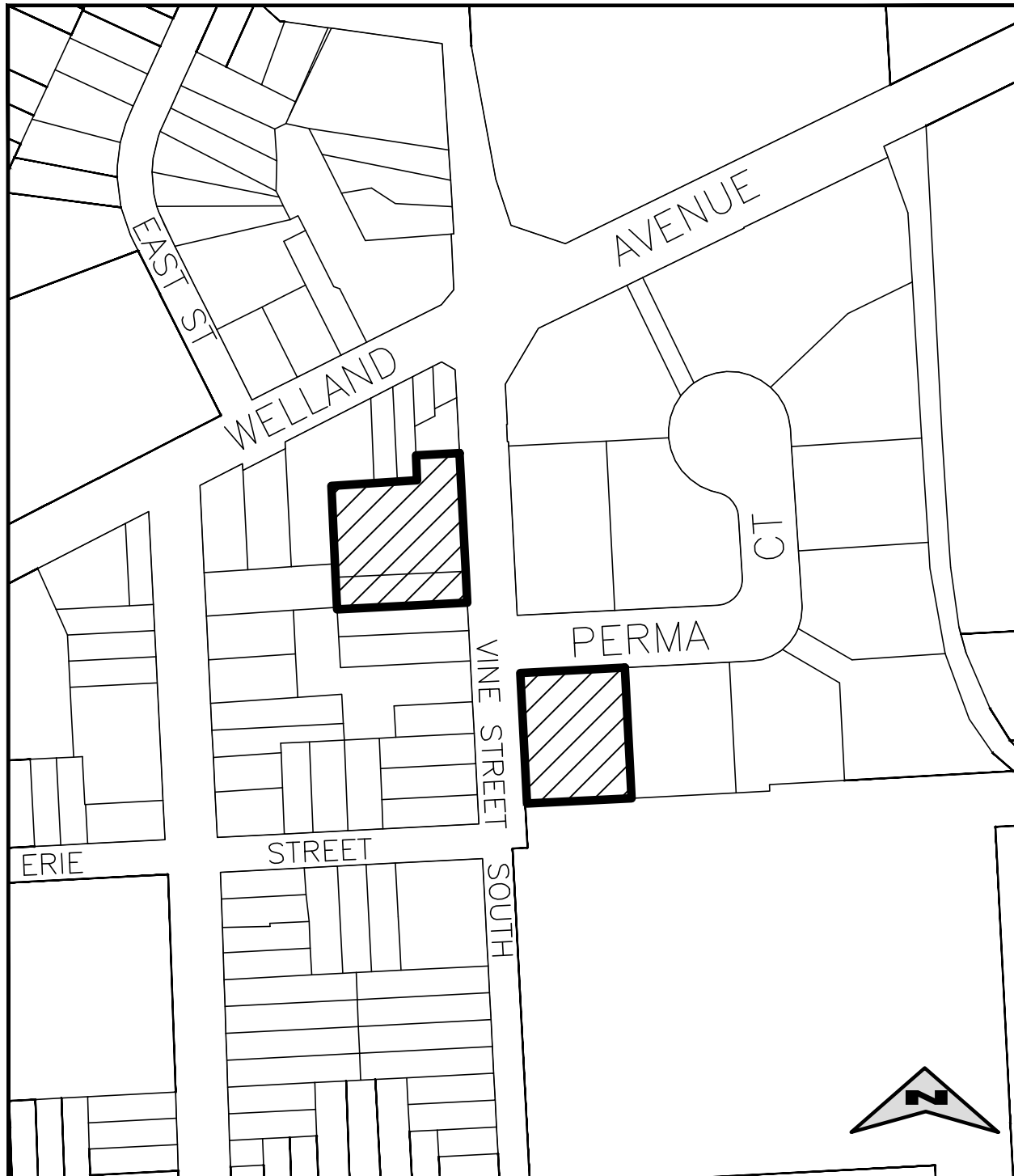
Approved by

Tami Kitay, MPA, MCIP, RPP
Director, Planning and Building Services

Appendices

Appendix 1 – Location Map
Appendix 2 – Conceptual Site Plans
Appendix 3 – Ontario Planning Framework
Appendix 4 – Official Plan Schedule D1
Appendix 5 – Official Plan Schedule E5
Appendix 6 – Existing Zoning
Appendix 7 – Proposed Zoning
Appendix 8 – Official Plan Amendment – New Clauses
Appendix 9 – Zoning Amendment – Special Provisions
Appendix 10 – Zoning Amendment – Holding Provision
Appendix 11 – Proposed Official Plan Schedules D1 and E5

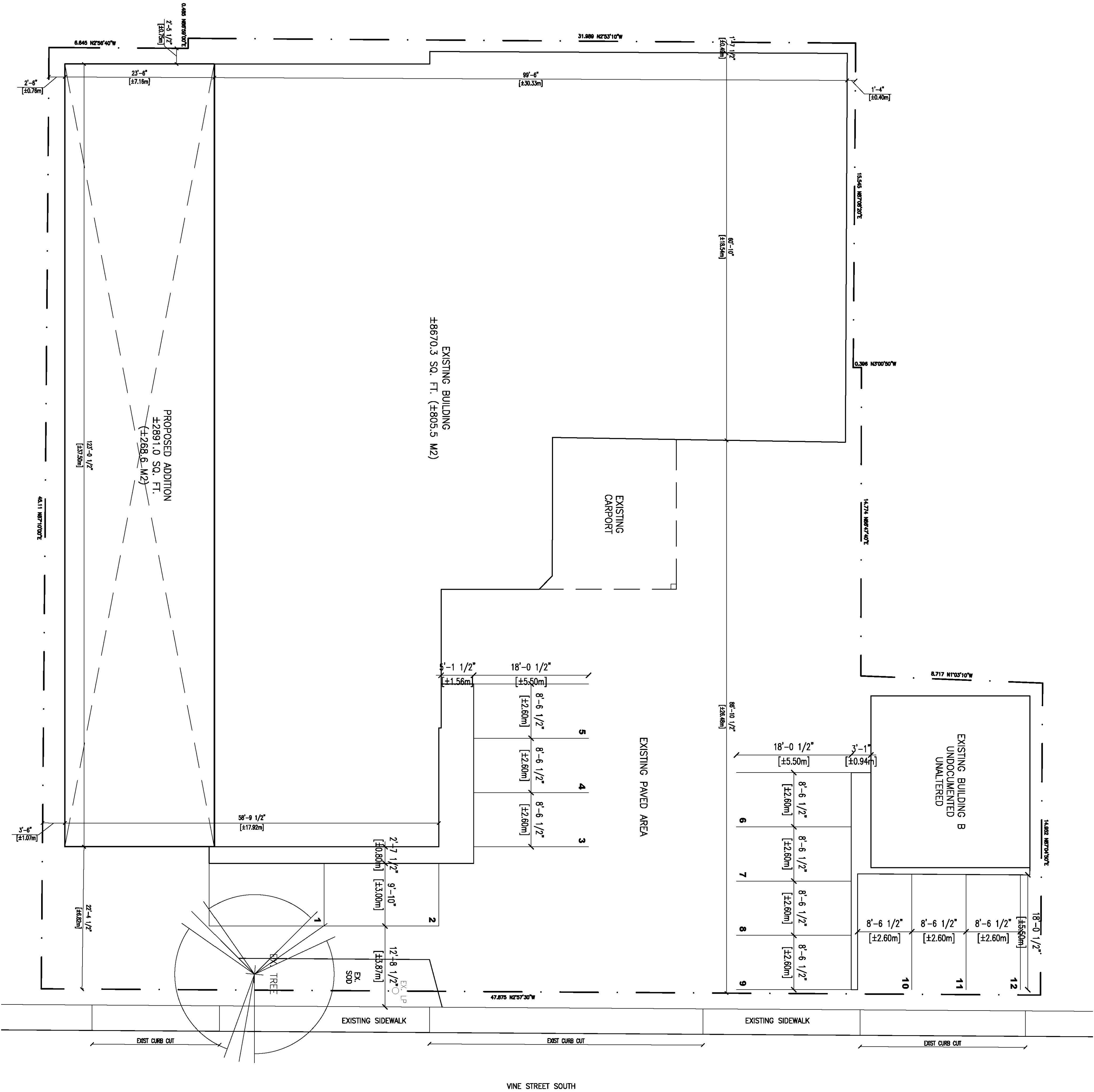
Location Map



Subject Lands

119 Vine Street South, 127 Vine Street South, 2 Perma Court

File: 19 11543100 OP, 19 11543200 ZA



PROPOSED SITE PLAN

SCALE: 1:100

COVERAGE CHART			
LOT AREA	±1904.0M2	100%	
EXST. BUILDING	±805.5M2	42.4%	
EXST. BUILDING B	±62.7M2	3.3%	
EXST. CARPORT	±42.9M2	2.2%	
PROP. ADDITION	±268.6M2	14.1%	
TOTAL BUILDING COVERAGE	±1179.7M2	62.0%	
TOTAL ASPHALT	±724.3M2	37.3%	

PARKING CALCULATIONS			
INDUSTRIAL LIGHT	REQ'D	PROV'D	
1,180M2 / 100	12	12	

Job number:
17-29

revision number:

drawing number:

A1

project title:
SITE STUDY
127 VINE STREET
ST. CATHARINES, ONTARIO

drawing title:
ELEVATIONS

drawn by:
JJ

design by:
LJM

approved by:
MRM

date:
MAY 1, 2017

plot scale:
1:1

scale:
AS NOTED

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

NO: 1

BY: BH

DATE: JUN 10, 2019

REVISION: REV'D PARKING CALCULATIONS

THESE DOCUMENTS ARE NOT TO BE SCALED.

THE DESIGN AND DOCUMENTS REMAIN THE PROPERTY OF THE ARCHITECT AND ARE PROTECTED BY LAW. THEY MAY NOT BE ALTERED WITHOUT THEIR EXPRESSED WRITTEN CONSENT. ALL DOCUMENTS TO BE RETURNED AT COMPLETION OF WORK.

CONTRACTOR TO SITE VERIFY ALL DETAILS AND DIMENSIONS AND REPORT ANY AND ALL DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING WITH THAT RELATED PORTION OF THE WORK.

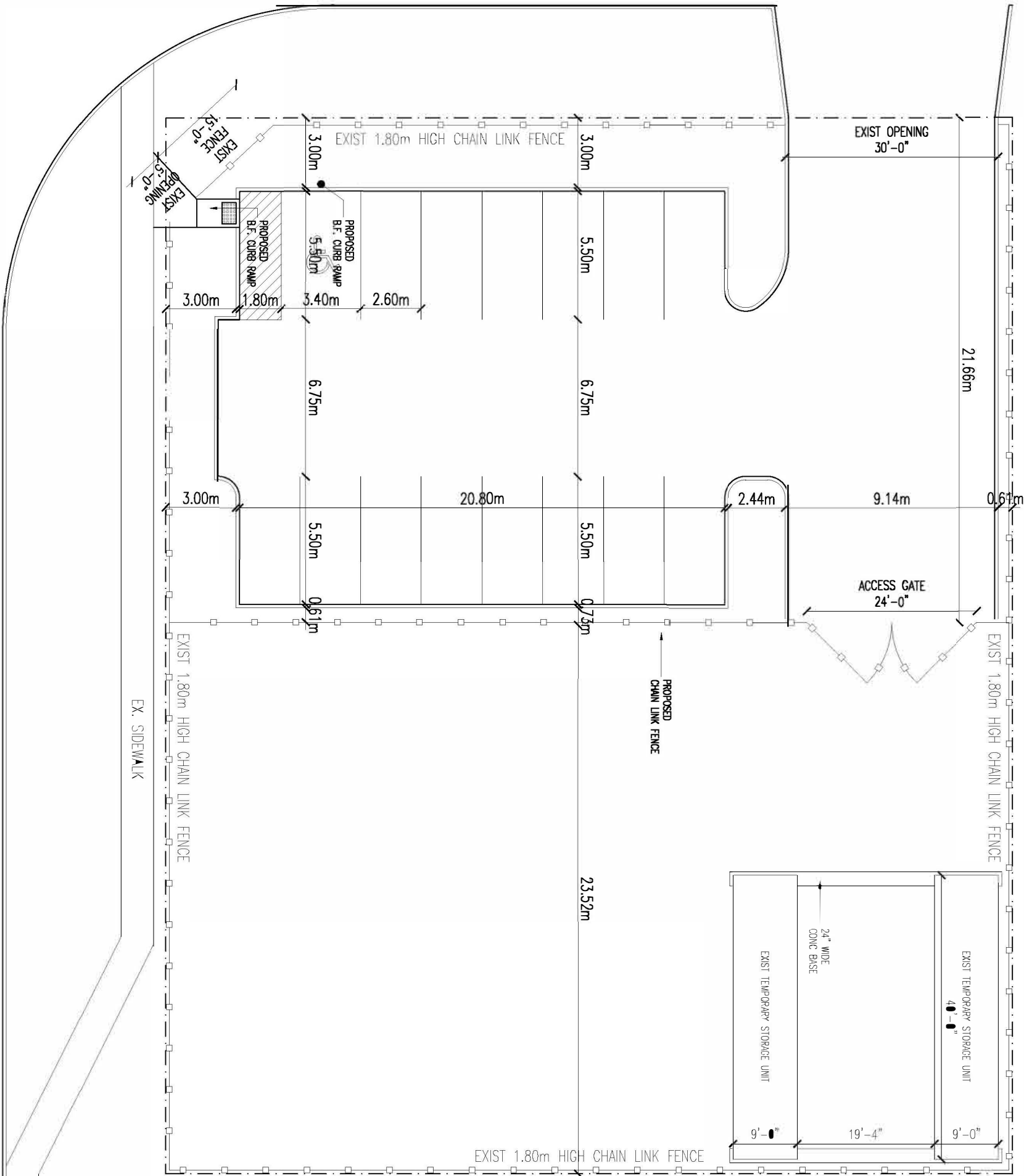
ONLY SIGNED SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR CONSTRUCTION PURPOSES.

PERMA COURT

VINE STREET SOUTH

SITE PLAN

SCALE: 1:200



COVERAGE SUMMARY			
LOT AREA	1,044.4 M2	100.0 %	
PARKING AND ASPHALT COVERAGE	603.7 M2	36.7 %	
LANDSCAPE COVERAGE	1,040.7 M2	63.3 %	
PARKING PROVIDED - 1 B.F. INCLUDED			15

Job number:
17-29

Revision number:

Drawing number:
A1

Project title:
PARKING STUDY

VINE + PERMA COURT
ST. CATHARINES, ONTARIO

Drawing title:
SITE PLAN

Drawn by:
ME

Design by:
LJM

Approved by:
MRM

Date:
OCT 23, 2017

Plot scale:
1:1

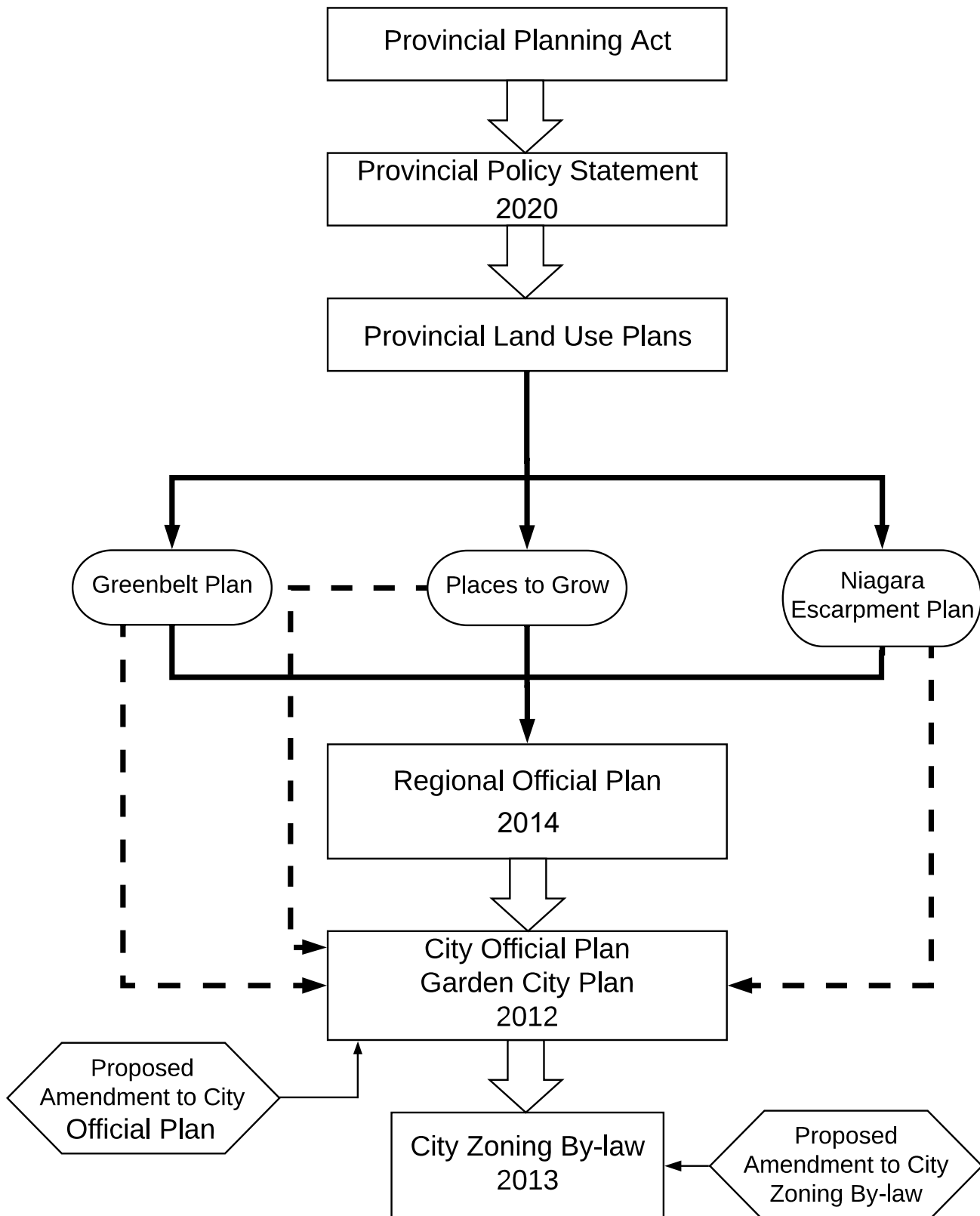
Scale:
AS NOTED

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

No.	REV	DATE	REVISION
1	(B)	NOV 18, 2016	REVISED PARKING LAYOUT

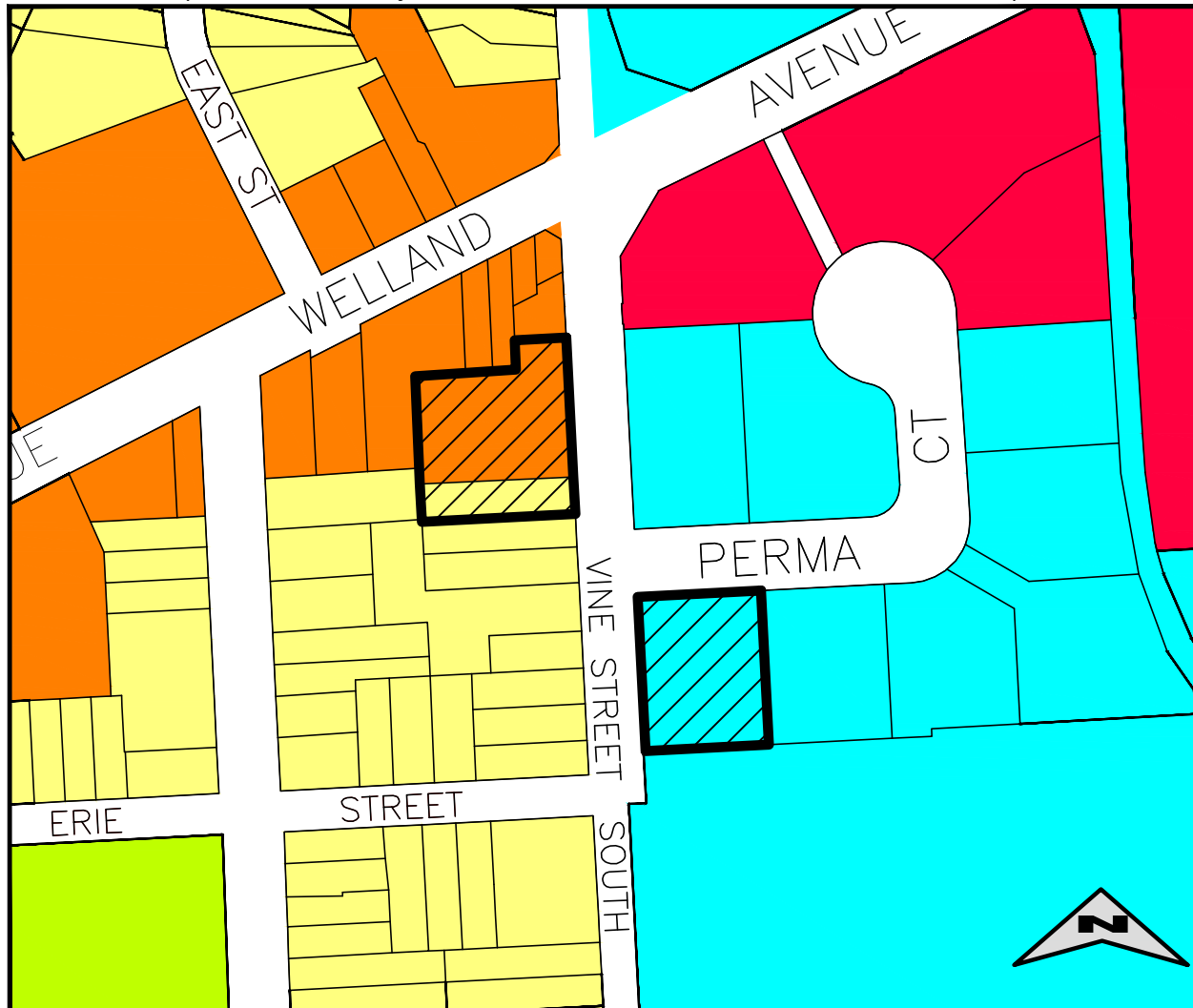
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ONLY SIGNED, SEALED AND STAMPED DOCUMENTS ARE TO BE USED FOR CONSTRUCTION PURPOSES.

Ontario Land Use Planning Framework



Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



Subject Lands

119 Vine Street South

127 Vine Street South

2 Perma Court

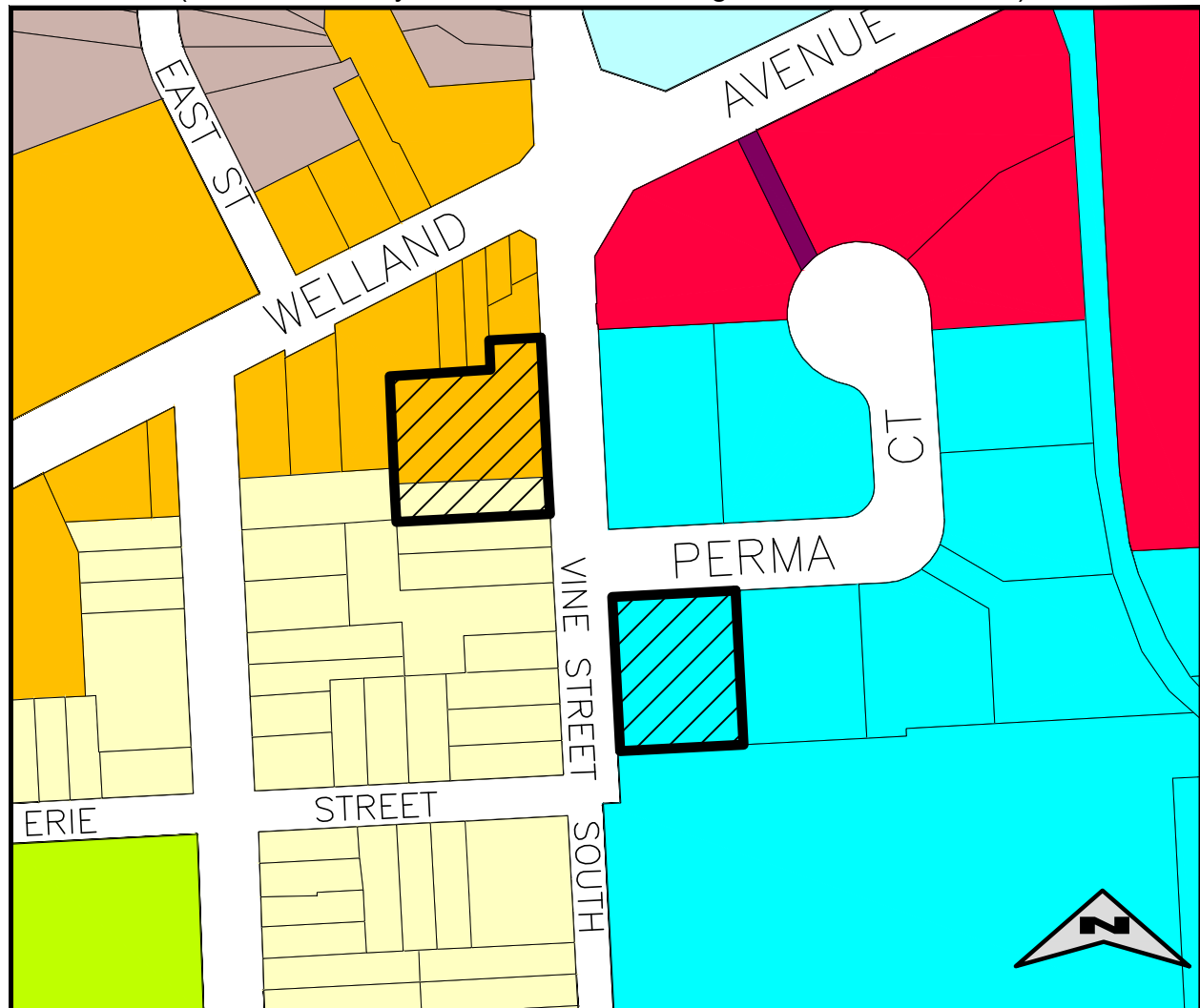
Land Use Designations

- Neighbourhood Residential
- Employment
- Commercial
- Mixed Use
- Parkland & Open Space

File:19 115431 00 OP, 19115432 00 ZA

Existing Land Use Designation

(The Garden City Plan - Central Planning District, Schedule E5)







Subject Lands

119 Vine Street South

127 Vine Street South

2 Perma Court

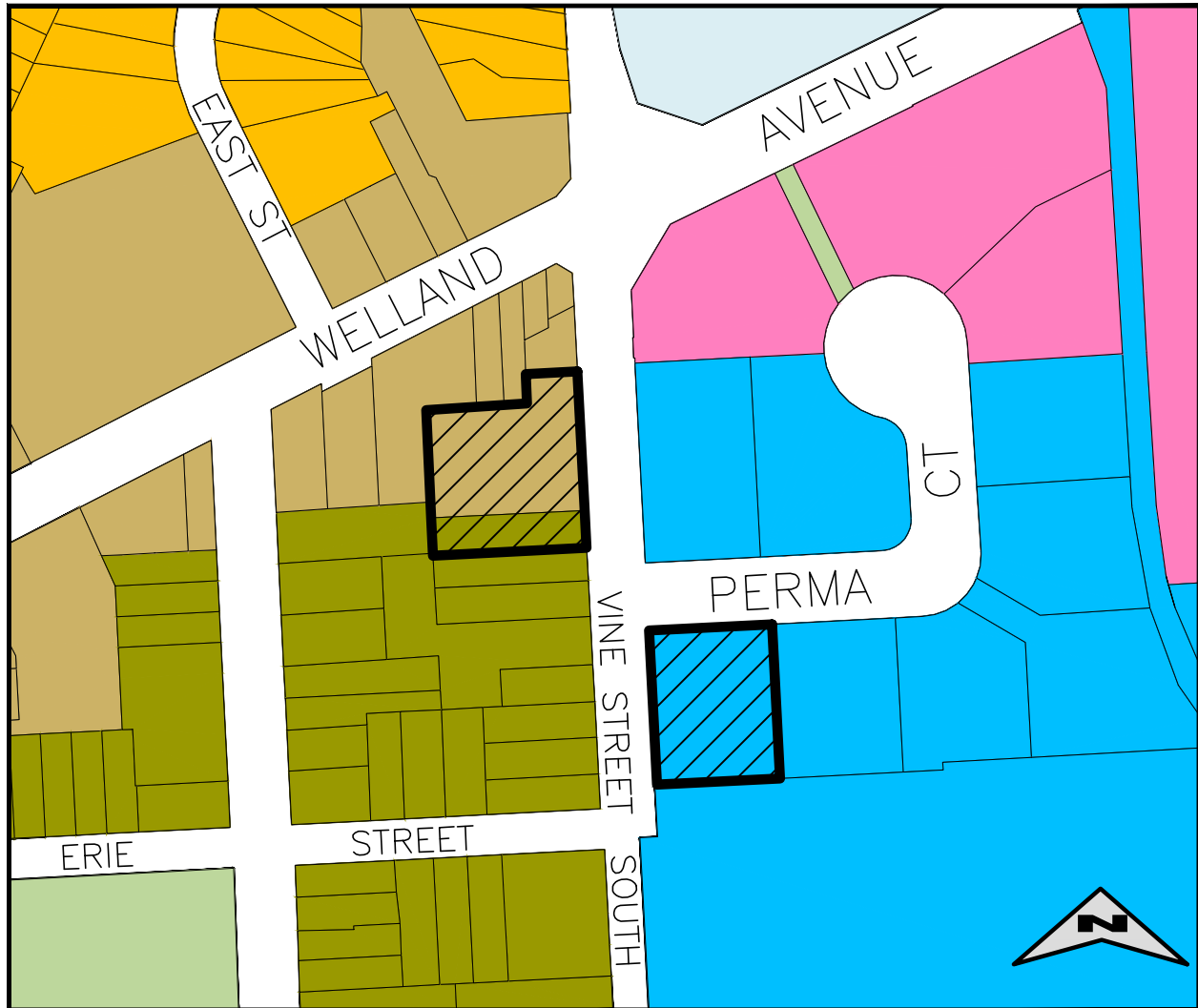
Land Use Designations

 Low Density Residential	 Parkland & Open Space
 Medium Density Residential	
 Community Commercial	
 Mixed Use	
 General Employment	
 Business Commercial Employment	

File: 19 115431 00 OP, 19 115432 00 ZA

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

119 Vine Street South

127 Vine Street South

2 Perma Court

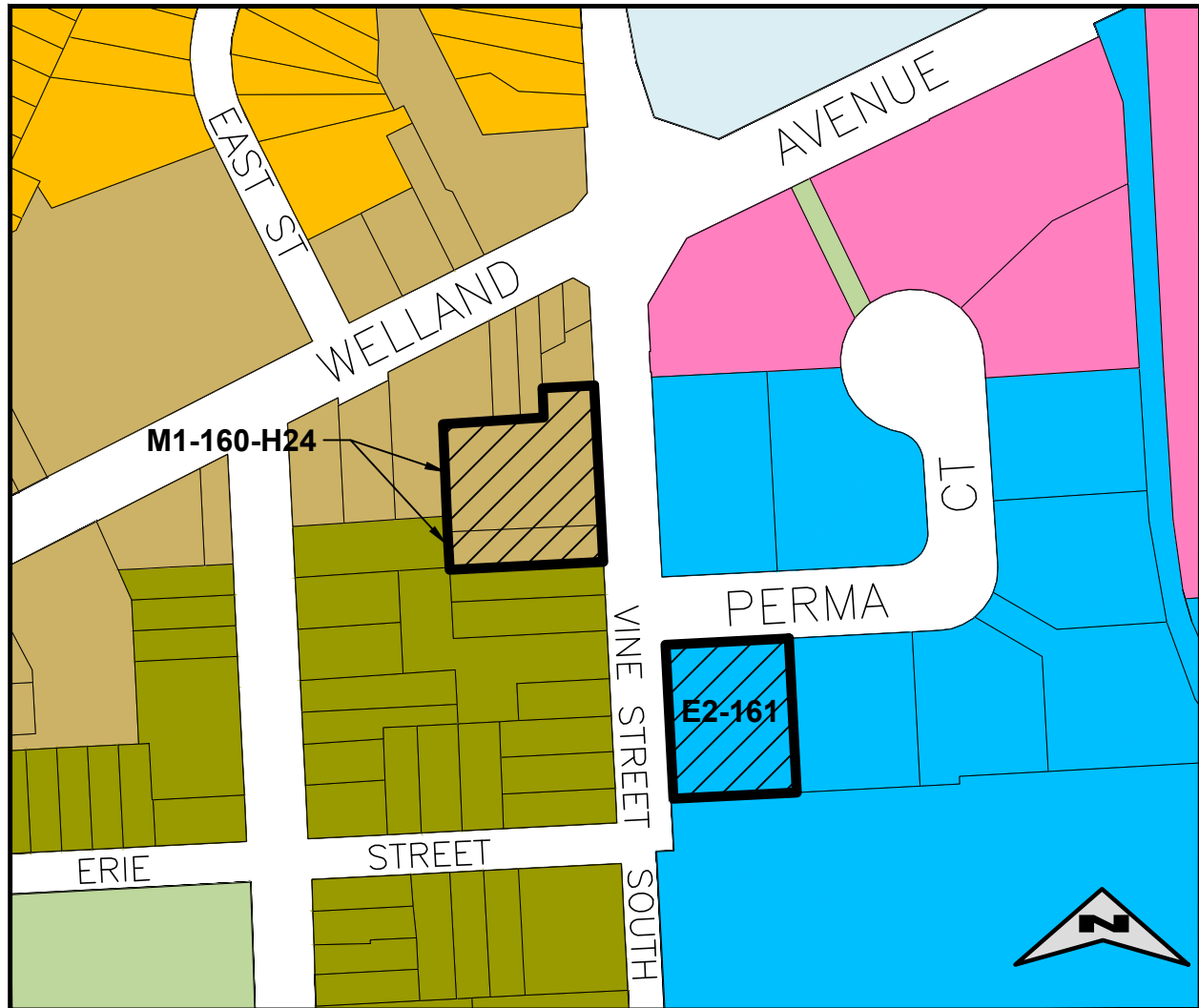
Zones

- R2 Low Density Residential
- Traditional Neighbourhood
- R3 Medium Density Residential
- C2 Community Commercial
- E1 Business Commercial Employment

- E2 General Employment
- M1 Medium Density Mixed Use
- G2 Minor Green Space

File: 19 115431 00 OP, 19 115432 00 ZA

Proposed Amendment to Zoning By-Law 2013-283 (Schedule A - Zoning By-law 2013-283)



 Subject Lands
119 Vine Street South
127 Vine Street South
2 Perma Court

Zones

 R2 Low Density Residential - Traditional Neighbourhood	 E2 General Employment
 R3 Medium Density Residential	 M1 Medium Density Mixed Use
 C2 Community Commercial	 G2 Minor Green Space
 E1 Business Commercial Employment	

File: 19 115431 00 OP, 19 115432 00 ZA

Proposed Official Plan Amendment to Section 15.2.2

Part E, Section 15.2.2 of the Garden City Plan be amended to add the following clauses after Section 15.2.2 d):

e) Notwithstanding the permitted uses of the Mixed Use land designation on Schedules D1 and E5, a light industrial use shall also be permitted on lands known municipally as 119 and 127 Vine Street South.

f) Notwithstanding the permitted uses of the Employment and General Employment land use designations on Schedules D1 and E5 respectively, a stand alone parking lot shall be an additional permitted use on lands known as 2 Perma Court.

Proposed Zoning Special Provisions 160 and 161

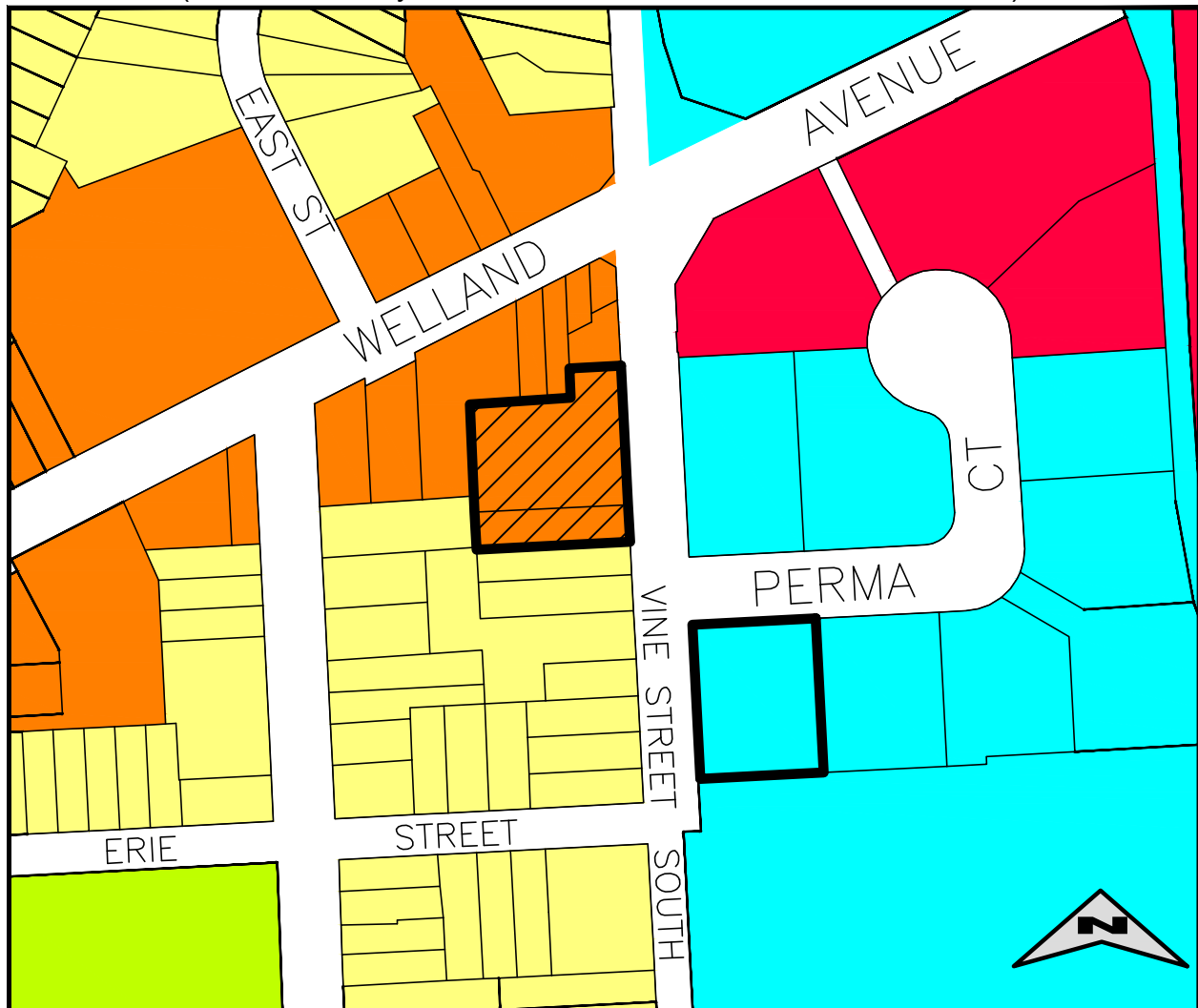
Special Provision	Zone	Schedule A	Location	By-law
160	M1	15	119 and 127 Vine Street South	
Additional permitted use: A light industrial use subject to the following site-specific provisions:				
1.	Maximum Building Height		8 metres	
2.	Minimum Lot Frontage		47.8 metres	
3.	Minimum Front Yard Setback		1 metre	
4.	Minimum Rear Yard Setback		0.4 metres	
5.	Minimum Side Yard Setback (south)		1.2 metres	
6.	Minimum Width of Landscape Buffer along a Public Road		3.0 metres save and except where the existing building is located less than 3 metres from the front property line	
7.	Minimum Required Parking		1 space for each 100 square metres of gross leasable floor area	
8.	As per section 3.2.2 of this By-law, required parking shall be provided on the same lot as the use requiring the parking, or on a lot within 120 m that is not within a residential zone, being 2 Perma Court.			
9.	The two-storey portion of the building comprising the southerly 7 metres of building width is only permitted for storage and warehousing space. No manufacturing is permitted in this portion of the building.			
Note: Holding Provision 24 may apply to these lands				



Special Provision	Zone	Schedule A	Location	By-law
161	M1	15	2 Perma Court	
Additional permitted use: a standalone parking lot is permitted only where a Development Agreement has been approved and registered on title addressing the layout, landscaping, grading and drainage, lighting and similar site details.				

Proposed Holding Provision 24




Holding	Schedule A	Location	By-law
H24	15	119 and 127 Vine Street South	
1.	An Environmental Site Assessment shall be prepared and submitted to the City of St. Catharines for approval. If contamination above provincial guidelines is found, a Record of Site Condition, or other acceptable documentation, shall be required for submission to the Ministry of the Environment prior to the removal of the Holding (H) designation.		
2.	Prior to any new Light Industrial use of the lands, a Noise, Vibration, Odour and Air Quality/Emissions Study shall be submitted by a qualified professional for review and approval by the City, that demonstrates the proposed Light Industrial use will not negatively impact sensitive land uses in the vicinity (residential, commercial, mixed uses etc) relating to odour, noise, vibration, and air quality/emissions .		
3.	Prior to the expansion of the existing Light Industrial use (Right Industrial Machine) , the parking lot intended to meet the minimum required parking for the use (either in part or in its entirety), located on lands at 2 Perma Court, shall be constructed, in full compliance with the required Development Agreement, and including all required inspections to the City's satisfaction.		
NOTE: Special Provision 160 also applies to the lands.			

Proposed Official Plan Amendment (The Garden City Plan - General Land Use Plan, Schedule D1)



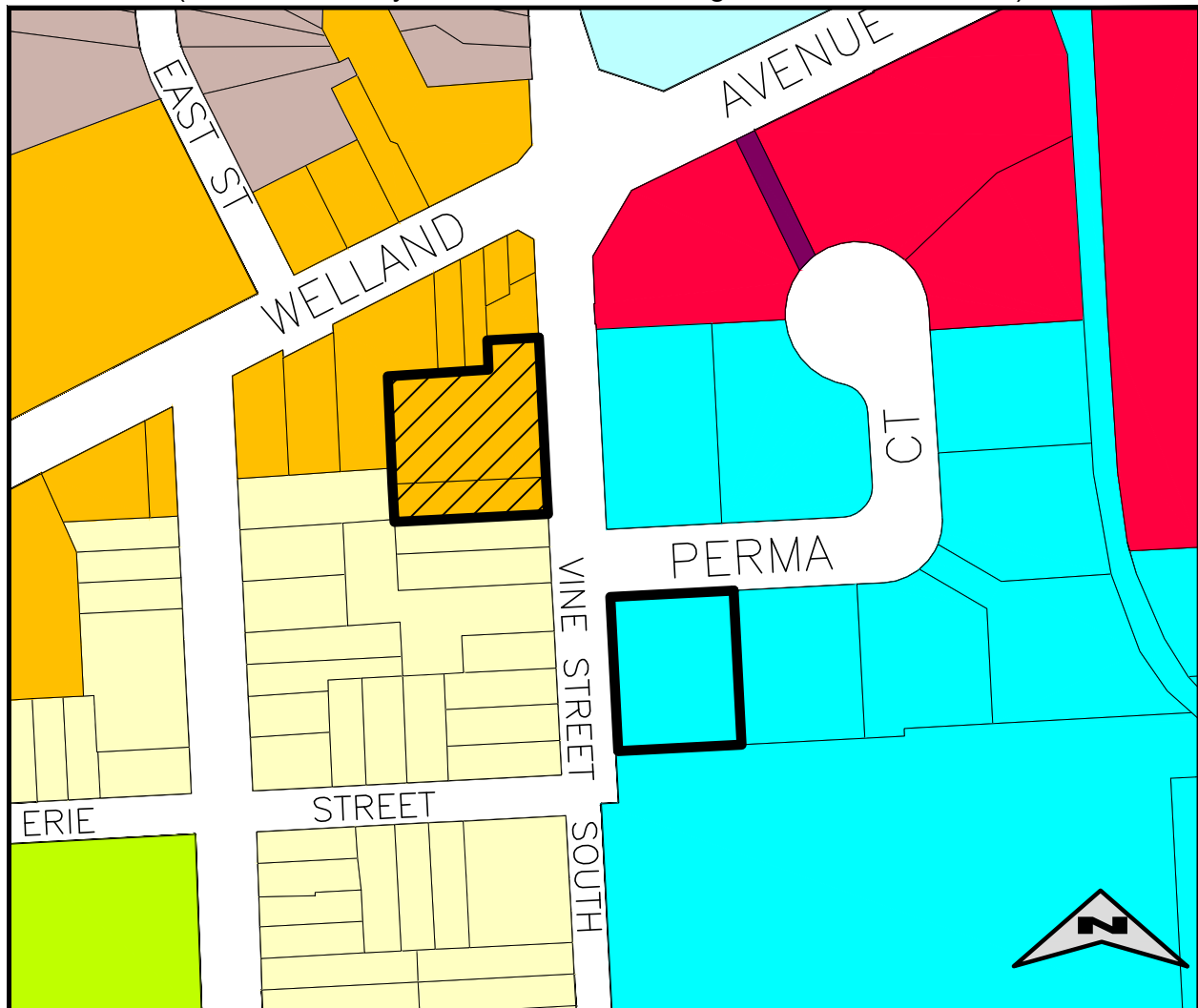
-  Area A (119 and 127 Vine Street S) - Mixed Use
(Additional Permitted Use: Light Industrial)
-  Area B (2 Perma Court) - Employment
(Additional Permitted Use: Stand Alone Parking Lot)



Land Use Designations








-  Neighbourhood Residential
-  Employment
-  Commercial
-  Mixed Use
-  Parkland & Open Space

File: 19 115431 00 OP & 19 115432 00 ZA

Proposed Official Plan Amendment (The Garden City Plan - Central Planning District, Schedule E5)



-  Area A (119 and 127 Vine Street S) - Mixed Use
(Additional Permitted Use: Light Industrial)
-  Area B (2 Perma Court) - General Employment
(Additional Permitted Use: Stand Alone Parking Lot)

Land Use Designations	
 Low Density Residential	 General Employment
 Medium Density Residential	 Parkland & Open Space
 Community Commercial	
 Mixed Use	
 Business Commercial Employment	

File: 19 115431 00 OP, 19 115432 00 ZA



By-laws to be considered Monday, February 1, 2021

- (a) A By-law to authorize a Letter of Agreement with Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario. (One reading – with respect to use of dedicated gas tax funds under the 2020-2021 Dedicated Gas Tax Funds for Public Transportation Program. Delegation of Powers and Duties By-law No. 2020-156.)
- (b) A By-law to authorize a Transfer Payment Agreement for Municipal Transit Enhanced Cleaning with Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario. (One reading – with respect to Municipal Transit Enhanced Cleaning (MTEC) Funding Program to support enhanced cleaning of municipal public transit systems. Delegation of Powers and Duties By-law No. 2020-156.)
- (c) A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines. (One reading – with respect to 119 & 127 Vine Street South, and 2 Perma Court. To be considered by Council, February 1, 2021.)
- (d) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to 119 & 127 Vine Street South, and 2 Perma Court. To be considered by Council, February 1, 2021.)
- (e) A By-law to amend By-law No. 2014-67 entitled "A By-law to establish a System of Administrative Penalties respecting the stopping, standing or parking of vehicles in the City of St. Catharines." (One reading – with respect to conducting hearings electronically. To be considered by General Committee, February 1, 2021.)
- (f) A By-law to confirm the proceedings of council at its meeting held on the 1st day of February 2021. (One reading - with respect to confirming the proceedings of the meeting held on February 1, 2021.)