

Agenda

Wednesday, April 28, 2021

Electronic Participation at 5.00 pm

As part of the City's commitment to safety during the COVID-19 pandemic, this meeting of the **Committee of Adjustment** 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 by contacting emunro@stcatharines.ca by April 26, 2021 before 3:00 p.m. Comments submitted will be considered as public information and entered into public record.

Members:

Greg Redden, Chair
David Ringler, Vice Chair
Kerry Leask, Member
Robin McPherson, Member
Adam Selvig, Member

Staff Liaison:

Elaine Munro, Secretary-Treasurer
Wilrik Banda, Assistant Secretary-Treasurer
Evan Acs, Planner
Bruce Bellows, Planner
Taya Devlin, Planner
Charlotte McEwan, Planner
Scott Ritchie, Planner

-
1. **Call meeting to order (Chair)**
 2. **Recognition of Traditional Territories**
 3. **Additions / Deletions to the Agenda**
 4. **Motion to approve the agenda**
 5. **Motion to adopt the minutes of the previous meeting**
 6. **Declarations of Interest**

7. **Request for Withdrawal or Adjournment**

- i) 102 Broadway, Consent, B-07/19SC – 60.84.2235, 102 Broadway, Minor Variance, A-19/19 – 60.81.5453, 2 Lakeside Drive, Minor Variance, A-20/19 – 60.81.5454 which received approval at the January 27, 2021 Committee of Adjustment Hearing for a deferral extension to the April 2021 Hearing, be considered Abandoned without Prejudice. The application was withdrawn in writing by the Agent.

iii) 36 The Cedars, Minor Variance, A-03/21 – 20119062

The Owner and Agent has requested an extension to the deferral to the May 26, 2021 Hearing after speaking with staff.

- iii) Item #10 - 121 Moffatt Street, Consent, B-08/21SC – 21102393 and 121 Moffatt Street, Consent, B-09/21SC – 21102406

A request to defer the subject applications until the May 26th or June 23rd Hearing has been received and is supported by the Owner. The request is to allow the Owner to update their plan to include the required road widening.

8. **Applications**

1. 45 Canterbury Drive, Consent, B-11/21SC – 21103103
47 Canterbury Drive, Consent, B-12/21SC -21103016
2. 447 Geneva Street, Minor Variance, A-25/21 - 21102029
3. 150 Glendale Avenue, Minor Variance, A-26/21 - 21102239
4. 12A Meredith Drive, Minor Variance, A-27/21 – 21102150
5. 159 Beech Street, Minor Variance, A-28/21 – 21102269
6. 1520 Fifth Street Louth, Minor Variance, A-29/21 - 21102271
7. 340A Lakeshore Road, Minor Variance, A-30/21 – 21102274
8. 83 Louth Street, Minor Variance, A-31/21 – 21102283
9. 92 Louth Street, Consent, B-06/21SC – 21102372
92B Louth Street, Consent, B-07/21SC – 21102374
92A Louth Street, Minor Variance, A-32/21 – 21102377
92B Louth Street, Minor Variance, A-33/21 - 21102380

9. **New Business**

10. **Date of next meeting**

Wednesday May 26, 2021 at 5.00 pm

11. **Motion to Adjourn**

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

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

COMMENTS

B-11/21SC & B-12/21SC

45 & 47 Canterbury Drive

DATE OF HEARING:
April 28, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: B-11/21SC
B-12/21SC

File: 21 103103
21 103106

Subject: 45 and 47 Canterbury Drive
125 Hartzel Road

Recommendation

Consent

That Application **B-11/21SC** by 9779787 Canada Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the existing shed shown on Part 2 of the submitted sketch be removed or relocated to be in compliance with the Zoning By-law provisions for yard setbacks for an accessory structure.
2. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
3. That all conditions of consent be fulfilled by April 28, 2022.

That Application **B-12/21SC** by 9779787 Canada Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the existing shed shown on Part 2 of the submitted sketch be removed or relocated to be in compliance with the Zoning By-law provisions for yard setbacks for an accessory structure.
2. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
3. That all conditions of consent be fulfilled by April 28, 2022.

Background

The current applications follow previous consent applications B-32/15SC and B-33/15SC made in 2015, which proposed the identical lot severances to re-establish formerly existing lots which were merged when they were owned under the same name. These consents were approved in August 2015. However, the severances lapsed before registration was completed.

Report

The Proposal

The Applicant proposes to sever two existing semi-detached dwelling units (45 and 47 Canterbury Drive) from a former car dealership (125 Hartzel Road). The three properties were once separate parcels and have merged on title. No variances to the Zoning By-law are required to facilitate the applications. The requested severances are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-11/21SC	Part 1 (45 Canterbury Drive)	370 m ²	Parts 2 and 3 (47 Canterbury and 125 Hartzel Road)	2,841 m ²
B-12/21SC	Part 2 (47 Canterbury Drive)	369 m ²	Part 3 (125 Hartzel Road)	2,472 m ²

Location and Site Description

The subject properties are located on the east side of Canterbury Drive, south of Thorncliff Drive. The property is a through lot, with frontage on both Canterbury Drive and Hartzel Road. The properties are surrounded by residential dwellings to the west, and a mix of residential dwellings and commercial uses to the north, east and south.

Both 45 and 47 Canterbury Road contain one semi-detached dwelling unit. 125 Hartzel Road contains a former car dealership. There is an existing Site Plan Agreement registered on the portion of the lands containing the former car dealership.

Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received, although Development Engineering has requested that a road widening be conveyed along the Hartzel Road frontage. The proposed consents are to formalize an existing situation, there is no physical development or construction taking place on any part of the subject lands, and Planning and Building Services staff do not consider a road widening is warranted or prudent to be taken at this time.

Planning Policy Context

Official Plan (Garden City Plan)

The Garden City Plan (GCP) designates the westerly portion of the land as Low Density Residential, which permits a variety of residential dwelling types at a density between 20 to 32 units per hectare, subject to the policies of the Garden City Plan. The easterly portion of the land is designated Mixed Use which permits a mix of commercial, residential and other uses.

Zoning By-law (2013-283)

The westerly portion of the subject land is zoned Low Density Residential – Traditional Neighbourhood (R2) pursuant to By-law 2013-283, which permits a variety of residential dwelling types including the existing semi-detached dwelling units. The easterly portion of the subject land is zoned Medium Density Mixed Use (M1) pursuant to By-law 2013-283, which permits a mix of residential, commercial, and institutional uses.

Planning Analysis

Consent

The size and configuration of the proposed residential parcels (Parts 1 and 2 on the submitted plan) are appropriate for the residential dwellings existing on each parcel. The approval of the proposed severance would allow the existing dwellings to be owned and sold individually. The retained parcel (Part 3) is appropriately sized for the mixed use designation on the property. The residential lots maintain compatibility with the surrounding residential neighbourhood. Overall, the proposed severance maintains the character of the surrounding area and is desirable for the subject lands. No new construction is proposed, and the properties are in compliance with applicable zoning provisions.

The proposed consent will require removal or relocation of the shed shown on Part 2, as it is required to be setback a minimum of 0.6 metres from the property line.

Staff are supportive of Consent Applications **B-11/21SC** and **B-12/21SC** subject to the conditions outlined in the recommendation.

Conclusion

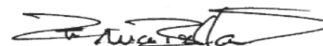
Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-11/21SC** and **B-12/21SC** are consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents to sever be approved, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:



Charlotte McEwan, M.C.I.P., R.P.P.
Planner I

Approved by:



Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Bell Comments - Caution if changing driveway - 905-21-155
Date: Monday, April 12, 2021 10:00:13 AM

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

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Monday, April 12, 2021 9:52 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: Notices of Hearing for April 28, 2021 CofA Hearing - 905-21-155

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

Dear Elaine,

Re: B11-21SC & B12-21SC

Subsequent to review of the severance at 45 & 47 CANTERBURY DRIVE, Bell Canada's engineering department have determined that there are no concerns or issues with the application. We would like to advise the applicant to use caution when developing the driveway as there are buried facilities found within the road right of way as identified on the attached.

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

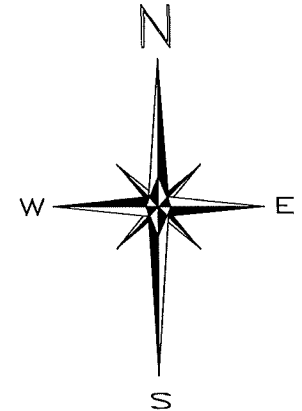
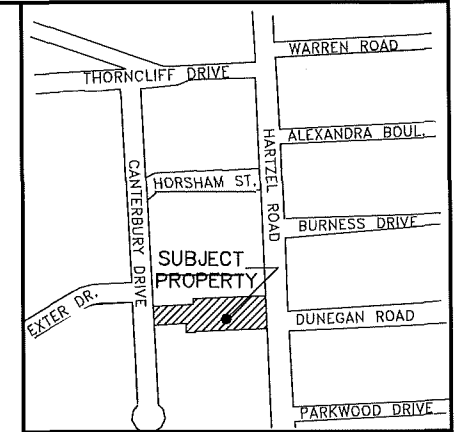
Best regards,

Carrie Gordon



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

LOTS 53, 54, 55 AND
PART OF LOTS 10, 11, 12, 13, 52 AND
PART OF EASTMOUNT AVENUE CLOSED BY JUDGE'S ORDER 17371 (1986), R0527588
REGISTERED PLAN TP-93 AND
PART OF LOTS 50, 51 and 135 (1.0 reserve)
REGISTERED PLAN 680
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 400 metres



NOTE
THIS SKETCH IS INTENDED FOR USE OF
THE COMMITTEE OF ADJUSTMENT ONLY.
MEASUREMENTS MAY VARY
UPON FIELD SURVEY.

William A. Mascoe
 WILLIAM A. MASCOE
 ONTARIO LAND SURVEYOR

KIRKUP+MASCOE+URE

SURVEYING LIMITED
49 EASTCHESTER AVENUE, ST. CATHARINES, ONTARIO L2P-2Y6
TELEPHONE (905) 685-5931, FAX (905) 685-1972
E-MAIL info@niagarasurveyors.com
www.niagarasurveyors.com
DRAWING : 15-0131 LDCS

JOB No. : 15-0131

DATE : MARCH 30, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown

Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 28, 2021 hearing

B-11/21SC – 45 Canterbury Drive

Comment:

- No comment

Condition:

- No comment

B-12/21SC – 47 Canterbury Drive

Comment:

- No comment

Condition:

- No comment

B-06/21SC – 92 Louth Street

Comment:

- Be advised that a building permit is required for the proposed detached dwelling on Parts 3 and 4.

Condition:

- The existing detached garage is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed

building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-07/21SC – 92B Louth Street

Comment:

- No comment

Condition:

- No comment

B-08/21SC – 121 Moffatt Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling.

Condition:

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

B-09/21SC – 121 Moffatt Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling.

Condition:

- The existing detached dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The existing pool is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- A demolition permit is required to remove the two sheds and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines. Note, the two sheds may be relocated, however shall conform to the current zoning bylaw.



Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

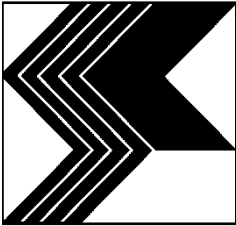
That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-11&12-/21SC



April 13th, 2021

ENGINEERING FILE 300-36

Hearing Date: April 28th, 2021

Applicant: 9779787 Canada Inc.

Location: 45 &47 Canterbury Drive and 125 Hartzel Road

MUNICIPAL SERVICES

Municipal services are of no concern since the application is related only to a boundary re-establishment.

Existing Road Allowance Width:	Canterbury Drive	20m±
	Hartzel Road	20m+/-

Desired Road Allowance Width:	Canterbury Drive	20m+/-
	Hartzel Road	26m+/-

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

Comment(s): It is noted that the applicant proposes to re-establish lot lines as shown on the Sketch Plan dated March 30, 2021, prepared by Kirkup Mascoe Ure. In accordance with the City's Official Plan, and with the ultimate goal of achieving the desired 26m right-of-way width for Hartzel Road, and to be consistent with several other widenings taken along this section of Hartzel Road, the City will be requiring a 3.0m road widening at this time.

Condition(s): If the severance is granted, it shall be conditional upon the owner dedicating a 3.0m road allowance widening along the Hartzel Road frontage of the subject lands. The lands shall be dedicated free and clear of any encumbrances. The owner shall pay all cost required to facilitate the granting of the widening.

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



Memorandum

To: Elaine Munro
Committee Secretary & Planning Clerk

Cc:

From: Steve Bittner
Transportation Technologist

Date: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-25/21

447 Geneva Street

DATE OF HEARING:
April 28, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received - Minor Variance, A-25/21, 447 Geneva Street
Date: Friday, April 23, 2021 1:26:22 PM

From: Joan Edge <>
Sent: Friday, April 23, 2021 12:00 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 447 Geneva st.

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

Dear committee Re : proposal to mini factory on said proposal.

We are opposed to this as it changes the meaning of a long standing community. .we live on Ramsey st and our back yards line up with said property. This is a residential area. Alan Edge.

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 447 Geneva Street, A-25/21, Minor variance
Date: Friday, April 23, 2021 7:03:11 AM

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



From: Gina Dmytrow <>
Sent: Thursday, April 22, 2021 7:49 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: RE: 447 Geneva Street

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We just received information regarding the proposal for the factory being considered in this residential area. We are concerned that this development will certainly cause excessive noise pollution and traffic in this neighborhood. Also, there appears to be a rodent issue in the North end of this city and this factory can't help this issue! We are concerned with this in our neighbourhood and the precedent it sets, please consider another industrial area like Eastchester or Bunting

Sincerely, Gina and Dave Dmytrow

XXXXXXXXXX

43 Ramsey St, St Catharines, ON L2N 2K3

--

Gina

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Receipt of Comments RE: 447 Geneva St., A-25/21, Minor Variance
Date: Thursday, April 22, 2021 6:14:21 PM

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



From: Brandon Pearson <>
Sent: Thursday, April 22, 2021 6:04 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 447 Geneva St.

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Hello,

I am against the development of an 800 square foot production line in my neighbourhood. I live at 29 Ramsey st. Please do not approve this. I have lived here for 20 years. It would set a precedent for future requests, add to potential noise pollution, and traffic. This neighbourhood is awesome and does not need this facility or operation in it. Have the individuals build their business on appropriate land zoned industrial.

thanks, Brandon 29 Ramsey St.

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Amanda no. 21102029 submission no. A-25/21
Date: Wednesday, April 21, 2021 1:11:59 PM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Sara <>

Sent: Wednesday, April 21, 2021 12:57 PM

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

Subject: Amanda no. 21102029 submission no. A-25/21

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

Good afternoon Ms. Munro,

I have received Notice of Hearing for the above noted proposal. I have a few concerns. in my option this proposal does not seem a Minor Variance. It is a Major Variance, since this is a residential area and will be changed to a commercial business.

The business area will be increased by 3 times ,that is not a Minor variance.....The proposed walk in freezer will be operating full time. Generating noise pollution to the surrounding area that is classified as residential. we pay taxes as a residential area, we want to sit outside in peace and quiet not hear this generator running all the time. I suffer from Fibromyalgia and I feel this noise will aggravate it. Since our comfort will be interrupted, will our taxes be reduced because of this new business in our area? Commercial business has no place in a residential area. If you allow this proposal it will gradually be increased as more property becomes available. That is not right.

St. Catharines has so many vacant facilities that can be converted for-this production.

Why not use one of these facilities instead and, in the meantime rejuvenate our city.

Please do not approve this proposal.

Thanking you in advance for letting me comment on this issue.

Sara Scaglione

Sent from my iPad

To the **Committee of Adjustment**

RE: 447 Geneva Street - Application A-25/21 for Minor Variance

My name is Emilie Bohunicky and my husband and I own 441, 443 and 445 Geneva Street, properties immediately adjoining 447 Geneva Street; properties which we have owned for over 20 years and which would be significantly negatively impacted by the construction of a 'mini-factory' in the backyard of 447 Geneva Street.

We were shocked when we received the Notice of Hearing pertaining to 447 Geneva, not having been informed by the recent owners of their plans beforehand. This mature neighbourhood, including 447 Geneva, is zoned Residential and what is being proposed here is Commercial/Industrial in nature. This is not just a Minor Variance on a shed or a garage that is being proposed. It is a fully equipped manufacturing facility for the production of syrups to be used in the making of cocktails and mixed drinks. It simply **does not belong** in an all-residential neighbourhood. There are commercial and industrial plazas where it would be a fitting and appropriate addition, not in the midst of a quiet residential zone. Frankly, I am surprised that this proposal has advanced to this stage. To my knowledge, there is nothing of a comparable nature going on in the area and it would set an undesirable precedent, should it be allowed.

What is of great concern to us and many of the neighbours I have spoken to is the noise that would be generated by this facility. Most residents in the neighbourhood have lived there for decades as peaceful, contributing members of society, largely composed of elderly folk. Assorted manufacturing practices, the presence of a walk-in cooler with a compressor on the outside, various deliveries and other traffic and the constant activity of production would be a continuous disruption to the normal enjoyment of neighbours' homes and backyards. Production hours can be erratic when deadlines need to be met. Unforeseen circumstances can necessitate production outside of normal working hours, especially convenient when the factory is in your own backyard. As one concerned neighbour questioned (and I paraphrase), *"Are delivery trucks going to be coming there at 1 am to pick up a shipment and make the loud beeping noise when they're backing up and have the red light flashing?"* Not only noise, but various smells from the production of these flavoured syrups would certainly be in the surrounding air. Many may find these odours offensive and may even be allergic to them. It is not fair to impose this kind of activity on people who value the quiet enjoyment and fresh air of their backyards. There is also the question of safety; manufacturing facilities can pose a danger to the area from possible accidents occurring during processing. That is why they should not be within residential areas.

The 443 Geneva property that we own is a small 14-unit apartment building, known as Tranquility Gardens, and this proposed structure would certainly disrupt that 'tranquility' as it would extend even with the front of the apartment and shares a property line with it. There are 24 windows in the immediate courtyard, more around the corner and to the rear. Most tenants have their windows open during most of the year, enjoying the solitude and fresh air. Many have barbecues outside and sit outside, enjoying the grounds. Noises, smells and production activity would be annoying, intrusive and most unwelcome and disrupt a long-standing and well-established, close and peaceful community. Our apartments would be less attractive for future rental and we would quite probably lose some of our existing tenants, unhappy with the changes to the neighbourhood. This would in turn negatively impact property values and that is simply unfair, having paid property taxes for over 20 years ourselves. This development simply put, infringes on not only our tenants but also on their right to quiet enjoyment and peaceful and safe living conditions. If I can't guarantee my current and future tenants' right to quiet/ peaceful enjoyment, how am I supposed to survive as a small scale landlord. This becomes especially more difficult during these Co-vid times when paying rent poses hardship for many and renting is more difficult with stay-at-home orders in place. These properties provide a livelihood for myself and my family and we have devoted our lives to building them into something we can pass on to our children.

Our other two properties are rental houses; 445 Geneva shares a property line with 447 and the proposed structure is so close to it that it might as well be in our backyard. It would be severely impacted by all of the negative points raised previously, as would the other property. 441 Geneva is also very near 447 and the proposed structure, as evidenced by the nature of the house numbers. Our current tenants are most unhappy with what is being proposed. Are we going to lose them as tenants as well?

From what I've been able to learn online, Kvas Fine Beverage Company, appears to be a very successful business. It has a website, Facebook pages that date back to March 2018, and an impressive list of commercial customers as far away as Manitoba and Quebec. This is a **growing** business and a busy business, as evidenced in the drawings of a plan for a "Future Kettle #2". Will there be additional shipping containers brought in? Round-the-clock production to meet orders and deadlines? More vehicles and additional traffic in the area? I wish them luck with the business but a mini-factory does NOT belong in the backyard of 447 Geneva Street, in the midst of a mature residential neighbourhood.

Thank you for your time and consideration.

Emilie Bohunicky

Phone [REDACTED]
[REDACTED]

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 447 Geneva St, St Catharines - Minor Variance Request
Date: Thursday, April 22, 2021 9:17:05 AM

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



From: Sigried Janzen <>
Sent: Wednesday, April 21, 2021 9:31 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 447 Geneva St, St Catharines - Minor Variance Request

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

Hi there. I was alerted to the request for a minor variance on 447 Geneva St, St Catharines yesterday. The Hearing is to be held on Wed, April 28th. Written comments are to be submitted by Wednesday, April 21, 2021. Time of this email is 8:52pm Wednesday, April 21, 2021.

We are residents of 22 Ramsey St which backs onto 437 Geneva St.. Ramsey St backs onto the houses along the west side of Geneva St. We strongly object to the approval of the minor variance increasing the maximum of a home-based business coverage from 40 sq meters sq to 116.13 sq meters. This is almost 3 times the current allowance for home based businesses. That is quite the request!

The properties surrounding the subject properties are residential homes. Although there are some home-based businesses along the west side of Geneva St they are well within the city guidelines. This area is a residential area and should be kept as such.

The properties along the west side of Geneva St are deep lots. Approval of the minor variance of 447 Geneva St would set a precedence for future request of this nature. This would open the door to future applications for minor variance requests for industrial buildings in a residential neighborhood.

I understand that there is a commercial building on the corner of Linwell and Geneva (hairdressing shop). But the proposed building is a production line. A production line is not the same as a hairdressing shop. A production line is a factory (as evidenced by the plans of the interior building - pallets, walk-in fridge, a filling, capping, shrinking, labelling production line, floor drain troughs, kettles, grey water disposal and a shipping pad) - with added noise, traffic and environmental issues in a residential neighborhood.

There are family homes surrounding the subject property. To put a factory in the middle of a residential neighborhood is destroying the wellness of those that surround the subject property. There is additional parking - causing more traffic on Geneva St - which adds to the noise in the neighborhood and jeopardizes the safety of walkers, bicyclists and runners on Geneva St. Factories such as this belong on land that is zoned light industrial / industrial - as that is what this factory production line is - industrial. It does not belong in a residential neighborhood.

If the business became successful what is stopping the addition of a second shift or 24 / 7 production? A factory / production line is NOT a home-based business. It is an industrial venture and belongs on current land zoned industrial.

If you could please send me an email acknowledging that this has been received and our comments are noted.

Respectfully,
Bruce Hallford
Sigried Janzen

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Receipt of Comments, 447 Geneva St, St Catharines - Minor Variance Request
Date: Thursday, April 22, 2021 5:24:00 PM

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



From: Sigried Janzen >
Sent: Thursday, April 22, 2021 1:34 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Receipt of Comments, 447 Geneva St, St Catharines - Minor Variance Request

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

Yes, please include the photo. It should be noted that the photo was taken from the public sidewalk - seen by the public walking by. Could it be indicative of what the future look of what the property would look like - a production line industry look?

1) Why is the variance minor in nature? This is not a "minor" variance. As stated it is an almost 300% increase from standard home-based business allowance. Records should be searched to see what the one known variance of this nature had been approved at.

2) Why are the variances desirable for the appropriate use of the land? Industrial has its own environmental, noise pollution and safety considerations. The zoning is residential - industry should not be allowed in residential zoning.

3) Does it meet the intent and purpose of the Official Plan? What is St Catharines Official Plan for Geneva St? Does this (industrial) fit within the parameters of the current residential zoning and surrounding properties?

4) Does it meet the intent and purpose of the Zoning By-law? Again - zoning being residential - running an industrial should be not allowed in residential zoning.

I also have to say that the request is for 116.13 sq meters allowance for home based business - the existing home is 181.161 sq meters. The request for 116.13 sq meters represents 65% of the existing primary home. What has not been factored in is the garage already being used for business purposes represents 41.81 sq meters and the shipping container (also being used for business purposes) represents 14.86 sq meters. In total the industrial use will be $(116.13 + 14.86 + 41.81 = 172.8)$ 172.8 square meters. This represents 95.4% of the existing primary residence. Are there parameters as to the maximum of sq meters for out building? Seems the total industrial usage (and total of outbuilding size) on the subject property is quite significant in relation to the size of the primary dwelling.

It seems unwise to grant a variance increase to home-based business - when so few are granted - why would an approval be given to a production line factory business? At least if an approval is granted it should be to a home-based business that is not industrial and a smaller percentage allowance to a primary residence.

Regards,

Mrs Sigried Janzen

Mr Bruce Hallford

Current picture of the subject property. Already have pallets laying around the property.



April 22, 2021

RE: 447 Geneva St, St Catharines

We wanted to bring to your attention a Notice of Hearing that will be held regarding 447 Geneva St. The request is seeking a variance for the expansion of a home-based business. Only property owners that live within 60 meters of subject property received direct notice. The reason we are alerting other homeowners on the east side of Ramsey as we are concerned for the **precedent that this will set for future request of this nature.**

As we all know there are numerous properties on Geneva St that back onto our backyards that are deep and have the potential for future development. Such as the townhouse condominiums that were built recently. This proposal is for an 800 square foot production line facility. In other words – for an industrial building in our residential neighborhood.

The current city parameter for a home-based business is 40 sq m. The homeowners are requesting an approval to increase to 116.13 sq m. This is almost 3 times the current allowance for home-based businesses. It should be noted that the city has had few minor variances request for home-based businesses. Variances are only required when the owner / applicant cannot meet the zoning by-law provisions. This is crucial as this indicates that the city recognizes that the type of business (industrial) does not meet the current zoning and thus the request for variance under home-based business.

If you take a look at the proposal on the back side of this page you will see that the proposed building is a production line – in other words **industrial**. The production line is a factory (as evidenced by the plans showing the interior building - pallets, walk-in fridge, a *filling, capping, shrinking, labelling* production line, floor drain troughs, kettles, grey water disposal, shipping pad etc) that bring with it added noise, traffic and environmental issues to our residential neighborhood.

The additional parking will cause more traffic on Geneva St - which adds to the noise pollution in our neighborhood. As well it jeopardizes the safety of walkers, bicyclists and runners on Geneva St. Not to mention the possibility of noise disturbance in our neighborhood. If the business became successful what is stopping the addition of a second shift or 24 / 7 production? A factory / production line is NOT a home-based business. It is an industrial venture and belongs on current land zoned industrial.

If you are also concerned with this in our neighborhood and precedents set, you are able to submit written comments up to Monday, April 26, 2021 by 3pm to emunro@stcatharines.ca.

As well you can register on the City's website to speak at the Hearing up to Friday, April 23, 2021 @ 11:55pm. The hearing will take place on Wednesday, April 28th at 5 pm.

Otherwise the Hearing can be watched Live on the City's Official YouTube channel
- <https://www.youtube.com/user/CityStCatharines>.

Thanks for taking to time to read and being interested in the future of our neighborhood.

Bruce & Ziggy



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-25/21

File: 21102029

Subject: 447 Geneva Street

Recommendation

That Application **A-25/21** by Amy Kvas and Zachery Kvas, as outlined in the Notice of Hearing, be approved, and that Variance 1 be subject to the following conditions:

1. That the applicants enter into a development agreement with the City to govern the placement and noise attenuation of exterior operating apparatus necessary for the operation of the home-based business, including, but not limited to, the refrigeration compressor.
2. That this minor variance only apply to food processing and related business types.

Report The Proposal

The applicants propose to increase the size of the existing home-based business located on the property. They are seeking to expand the home-based business into a new accessory building, and to use the existing accessory building, where the home-based business is currently located, specific to storage purposes as part of the home based business. The applicants also propose to increase the paved area on the lot to lengthen the driveway to enable access to the proposed new accessory building. The variances outlined in the table below are required to facilitate the expansion of the home-based business and driveway.

Variance	Provision	Required	Proposed
1	Maximum floor area for a home-based business	40m ²	116.13m ²
2	Maximum parking area coverage on a lot	20%	20.6%

Location and Site Description

The subject property is located on the west side of Geneva Street between Overholt Street and Baraniuk Street. The neighbourhood is predominantly residential with some nearby institutional uses

The subject property is presently occupied by a detached dwelling, two accessory buildings and a storage container.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1. Home-based businesses located in accessory buildings to a residential use are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Home-based businesses located in accessory buildings to a residential use are permitted in this zone.

Planning Analysis

Variance 1

The applicant is requesting an increase to the permitted area for a home-based business. The proposed increase in area for the home-based business, from the permitted maximum of 40 square metres to 116.13 square metres, is numerically large. However, the quantifiable size of a variance is only one factor in determining if the request is considered minor in nature.

The limitation in size of a home-based business, is in part, intended to ensure that the business is subordinate and accessory to the primary residential use of the property. The property is a large 0.2 hectare (0.5 acre) site, and is 3 times larger than the maximum lot area requirement for a detached dwelling lot in the R1 zone.

In addition to the 40 square metre size limitation for a home-based business, the Zoning By-law also establishes that the size of a home-based business shall not exceed 25% of the gross floor area of the principal dwelling located on site. The existing dwelling on the site is 181 square meters in size. The proposed home-based business is 116 square meters in size, and represents 61% of the dwelling gross floor area. Notwithstanding, the size of the existing dwelling is small, especially in relation to the size of the property, and could be constructed to a much larger size given zoning criteria. The small size of the existing dwelling acts as an impediment to the size of a home-based business that could potentially be established on the lot. The proposed size of the home-based business, in relation to the size of the lot, is subordinate and accessory, and the residential character of the lot remains. In this respect, it is staff's opinion that the proposed home-based business on the site is appropriate for the use of the property, and in keeping with the intent of the Official Plan and Zoning By-law.

The applicants' business involves preparation of simple syrups for cocktail mixes. Food processing and similar activities are a permitted home-based business. The zoning by-law establishes several criteria that must be met for a home-based business, including the number of employees, location of storage, and requirements that the business not be a nuisance to neighbouring properties. The only specific criteria that is not being met is the size limitation. Given the size of the lot, and the location of the home-based business thereon, staff consider this variance to be minor in nature.

The proposed and existing accessory buildings that will house the home-based business are located in an appropriate location on the property. The accessory buildings meet all zoning requirements, including height, size and setbacks. Staff do have some concern with the proposed placement on the site of a refrigerator compressor unit as part of the home-based business. Staff propose as a condition of the variance the applicant enter into a development agreement with the City to regulate the placement of the compressor and noise attenuation, including fencing and plantings. With this condition, it is staff's opinion that any adverse impacts of the home-based business to adjacent properties will be minimized.

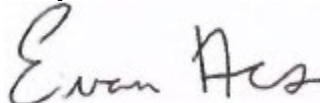
Variance 2

The applicants are proposing to increase the parking area coverage on the lot from 20 percent to 20.6 percent. This represents an increase of 6.42 square metres above the currently permitted maximum parking area coverage. In the opinion of staff, this increase will have no impact on surrounding properties. As well, the City's development engineering staff have not indicated that this increase will cause an issue or have negative impact with drainage on the lot. The property is of sufficient size and the parking area is in a location that maintains ample outdoor amenity space for residents. Staff find this request to be minor in nature, is desirable for the appropriate use of the lands, and meets the general intent of the Zoning By-law and Official Plan.

Conclusion

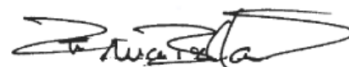
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-25/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application subject to the condition outlined in the recommendation.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Bruce Bellows
Senior Planner



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-26/21

150 Glendale Avenue

DATE OF HEARING:
April 28, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments, A-26/21, RE: Amanda# 21102239 - 150 Glendale Avenue
Date: Saturday, April 17, 2021 4:23:34 PM

From: Norma Medulun < >
Sent: Saturday, April 17, 2021 10:00 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Fwd: Amanda# 21102239

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

Sent from my iPhone

Begin forwarded message:

From: Norma Medulun < >
Date: April 16, 2021 at 11:33:18 AM EDT
To: emunroe@stcatharines.ca
Subject: Amanda# 21102239

Submission # A-26/21

I am NOT in support of reducing accessible parking spaces. Bylaws are conservative in this regard already. I'm sure there will be a lot of seniors in this development. I would ask who they see as the demographic for this development.

3) reduced back yard by half is not minor.

5) cars are smaller...

But if you bought one and had an SUV you would not like it.

8) question would be snow removal and storage. It's not always tropical in St Catharines

Is there outside space for those living in the stacked townhouses?

I would make the condition that all prospective purchasers be made aware of all variances granted to this property. No surprises!

I would also want to see the planning dept recommendations to the committee. They will state if they approve or not or any conditions to approval.

Norma Medulun Burke
8 West Hampton Road
St. Catharines

Sent from my iPhone

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Opposition to development of 150 Glendale Ave
Date: Monday, April 19, 2021 3:55:44 PM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: The Gammages <>

Sent: Monday, April 19, 2021 3:26 PM

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

Subject: Opposition to development of 150 Glendale Ave

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

Please pass our objections on to the appropriate body concerning our very strong objections to the development to replace Mountainview Church. We have lived behind the church for almost 50 years at 17 Jasmin Cres. We purchased our home and have paid taxes on this property because it was a good neighbourhood to raise our family. With this development our view will be these townhouses sitting very close to us, obscuring our view and creating an eyesore within 20 yards of our backyard.

Population density will significantly increase noise levels and traffic. We will no longer have our view with the proposed structures. Our backyard will no longer be our sanctuary with these buildings hanging almost over our fence. We understood this would never be developed. Now the city is changing rules mid-stream, to the detriment of neighbours.

The height of the buildings would indeed encroach on our view and privacy of our backyard.

We vehemently, therefore, oppose this development, period.

John and Lynda Gammage

17 Jasmin Cres.

St. Catharines, On., L2T2B9

Sent from my iPad

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Notice of hearing for 150 Glendale Ave.
Date: Tuesday, April 20, 2021 2:26:24 PM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



From: Kevie Sherman < >
Sent: Tuesday, April 20, 2021 1:54 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of hearing for 150 Glendale Ave.

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

Dear Sir:

During the first meeting with the planner none of these variance were mentioned. We now have less parking space and only 2 handicapped spots. The homes will be built much closer to Valerie residence as well as more traffic noise on Glendale. Homes being built do not fit in this residential area.

Are these developers lying about this development?

We are totally disappointed as to the real facts, which will come out at this meeting, I hope.

We do want to join the virtual meeting on April 28, 2021 at 5.

Kevie Sherman and Jeannie Berg

1-139 Glendale Ave.

XXX-XXX-XXXX

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Amanda No. 21102239, Submission No. A-26/21
Date: Wednesday, April 21, 2021 10:39:56 AM

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



From: Robert O'Dell <>
Sent: Wednesday, April 21, 2021 10:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Amanda No. 21102239, Submission No. A-26/21

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

Hello Elaine,
Please receive these comments on Application A 26/21 to be heard Wednesday April 28, 2021.
In particular, I am objecting to item #3 a reduction of minimum rear yard setbacks from 11.16 metres to 5.50 metres.
I am objecting because the variance being sought is not minor and not in conformity with the approved Official Plan – specifically Part B section 4.2 and 4.3 with regard to compatibility with the existing neighbourhood. It is therefore not good planning. The aforementioned excerpts from the OP are attached.
Please acknowledge receipt of these comments.
Thank you,
Bob O'Dell

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

Part B: Vision and Guiding Principles

4.2. Urban Design Principles Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

Development and redevelopment within St. Catharines will be based on the following sustainable design principles:

- a) a strong sense of identity and place as the “Garden City”;
- b) innovative, sustainable and context sensitive building, site, streetscape and neighbourhood design;
- c) a stimulating, attractive, and safe public realm;
- d) compatibility of new development and redevelopment within established areas.

4.3. Built Form Built form refers to the arrangement of buildings and their relationship to each other, and to the natural environment. It plays a large role in defining the character of an area. New development in St. Catharines will primarily be by way of intensification and redevelopment, and urban design will have a significant impact on how the new development will fit with established areas. Compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area. Where there is no discernable character, new development will set the standard for future development.

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.2 of this Plan and that supports and maximizes compatibility with the surrounding area in terms of the following matters:

- a) Building scale, height, gradation of height, and massing.
- b) Spacing of buildings.
- c) The level and visibility of the ground floor relative to exterior grade.
- d) Roof form and pitch, together with any other structures on the roof.
- e) The placement, number, type and proportion of doors, windows and other features including garages, porches and other platform structures.
- f) Use of materials, textures, and colours.
- g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 150 glendale
Date: Wednesday, April 21, 2021 11:42:52 AM

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



From: LORY KATAKURA <>
Sent: Wednesday, April 21, 2021 11:26 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 150 glendale

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I am very much opposed to the 3 story high building in my backyard for the following reasons:

- traffic (only one entrance I would hate to be a tenant trying to get onto Glendale intime for work!)
- no sidewalks(has been so dangerous for my child already waiting for the bus
- garbage (rat problem when they dug up for water systems a few years ago)
- blocking my sunset view
- decreasing house value
- noisy students already have an issue with them it will get worse!

please register me to be present for the hearing

thank you,

Katakura household

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Munro, Elaine

Subject:

RE: Notice of hearing Amanda No. 21102239 Submission No. A-26/21

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

From: Vicki Loom <>

Sent: Saturday, April 10, 2021 4:28 PM

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

Subject: Notice of hearing Amanda No. 21102239 Submission No. A-26/21

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

This is being sent regarding the application for Minor Variance from Ambria (Mountainview) Ltd. to be heard by the Committee of Adjustment for the City of St. Catharines on Wednesday, April 28, 2021 at 5 p.m.

On behalf of myself and all occupants of 11 Jasmin Crescent, I am compelled to object in the strongest terms possible.

It is clear that the proposed development will undoubtedly have significant long term adverse effects on our neighborhood, including:

Increased vehicle traffic and congestion Increased danger to pedestrians, including children and seniors Increased population density - from low density to high density heightens potential for crime and additional policing Significant loss of quality of life for existing homeowners - noise / light / smells / litter / impact on wildlife patterns / environmental degradation / loss of privacy and more.

The other perhaps even more discouraging issues are raised in the actual narrative of the requested variance. Pretty much all of the amendments are aimed at reducing the restrictions on the size of everything (parking spaces / accessible parking spaces / front yard set backs / exterior and interior design side yard set backs / height restrictions / distance between private road and dwelling) and cramming in as many units as possible. This is neither advisable nor is it considered to be safe for anyone.

Clearly there are very compelling and significant reasons for the Committee of Adjustments to decline this request as it is presented.

yours truly,

Jim, Vicki & Suzanne Loomis

Sent from my iPad

Elaine Munro
Secretary-Treasurer, St. Catharines City Hall
emunro@stcatharines.ca

E. Sauer
15 Valerie, SC L2T3G3

I am writing to express my and my neighbours' strong objections to the proposed construction of townhouses at 150 Glendale Ave. As you are well aware, the building of stacked townhouses is not permitted under the terms of the existing zoning bylaw. The city planners' claim that the houses are "apartments" is unsubstantiated by the bylaw or the "official" plan for the construction. The proposal suggests that the building, which will be excessively high for this neighbourhood, will be erected illegally only 5.5 m from the fence lines. Traffic problems, which are already a major concern, will make the Valerie-Glendale intersection even more dangerous.

Elizabeth Sauer, PhD, FRSC
Brock University | Niagara Region | 1812 Sir Isaac Brock Way | St. Catharines, Ontario L2S 3A1
brocku.ca | [REDACTED]

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Variance hearing 150 Glendale Ave April 28, 2021 5:30 PM
Date: Tuesday, April 20, 2021 1:30:30 PM

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



From: JOHN CROSSINGHAM <>
Sent: Tuesday, April 20, 2021 1:18 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Variance hearing 150 Glendale Ave April 28, 2021 5:30 PM

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

Dear Elaine,

The requested variances should not be permitted for the following reasons:

1 The Stacked Townhouses are not a permitted use and are not Apartments. I know that that question is beyond the Committees mandate, but I did not want my participation in this matter to be deemed a waiving or abandonment of this point.

2. Each and every one of the requests further a violation of the conformity provisions of the OP:

7. GENERAL POLICIES This Plan emphasizes more compact, innovative and alternative design to manage development. Zoning regulations, design guidelines, standards, and other tools to manage land use development shall encourage efficient, integrated, accessible, sustainable, environment friendly, and **context sensitive** development.

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

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;**
- 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.
- iii) **Possible negative impacts such as noise,** odour, and emissions are not excessive in relation to the predominant land use character and function of the area;

8.1. Residential Use Designations

1. Low Density

The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

2. Medium Density

The Medium Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres.

8.2. General Policies

1. 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.

Any proposal for new medium or high density residential development will be evaluated having regard for urban design principles and policies set out in this Plan to ensure building, site, streetscape and neighbourhood design will support compatible and context sensitive development with adjacent properties and those St. Catharines Official Plan 45 (July 31, 2012) in close proximity to the subject lands; and, may be subject to studies as set out in Part F, Section 16.16 of this Plan. South District plan E 8 (page 147 on web version) designates the site low density Residential 20-32 units/Hectare.

This application has done nothing to blend into the neighbourhood, which has some of the lowest density in the City. Any variance will only further exacerbate the incursion of this project into this R 1 designated and zoned area. This project single-handedly double the density in the block bounded by Valerie, Wakil and Glendale.

Should the Committee choose to allow any of the requests, I would ask that as a condition of such variance, that the proponent be required to install a pedestrian light to allow children in a development that has no amenity area to safely cross to Woodgale park.

All of which is respectfully submitted,

John Crossingham B.A. LL.B.

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From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Ambria (Mountainview) Ltd, 150 Glendale Ave, Amanda No. 21102239, Submission No. A-26/21
Date: Monday, April 19, 2021 10:10:46 AM

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



From: P P <>
Sent: Sunday, April 18, 2021 10:35 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Ambria (Mountainview) Ltd, 150 Glendale Ave, Amanda No. 21102239, Submission No. A-26/21

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Dear Mrs Munro,

I hereby wish to voice my opposition to the "Minor Variance" for the Ambria (Mountainview) Ltd's 150 Glendale Ave project for the following reasons:

1. Stacked townhouses are not allowed in the R3 zone.
2. These are not minor variances but will have a direct impact on the neighbourhood as the distance between the buildings and current residences' fence lines is 5.5 m and the 2nd storey balconies are only 3.18 m which means the new occupiers will be effectively right on the existing fence.
3. Items 1 and 2 indicate the City and the City's Planning Department are not following their rules.
4. As good neighbours to the Mountainview Church, we overlooked the lack of maintenance of the existing fence which is the Church's responsibility. There is no plan to replace this fence by Ambria. Also, will Ambria be raising the height of the fence (and providing new trees to the current residences) to provide privacy?
5. Almost all of the existing residences are single storey while Ambria plans to build 3 and 4 storey buildings.
6. As per the City's environment rules, the taller buildings will create a loss of green space.

Regards,
Phil

Philip Wiebe
Owner of 10 Valerie Dr, St Catharines, ON, L2T 3G4

Sent.

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Opposing 150 Glendale Ave project: Pratik Das: 13 Jasmin Crescent, St. Catharines
Date: Tuesday, April 20, 2021 12:53:32 PM

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



From: Pratik Doyel <>
Sent: Monday, April 19, 2021 11:31 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Opposing 150 Glendale Ave project: Pratik Das: 13 Jasmin Crescent, St. Catharines

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Hi Elaine,

Hope you are doing well. I live at 13 Jasmin Crescent, St. Catharines, ON with my family. We recently moved from New Jersey, USA to live permanently in Niagara region. When we bought the home, we knew that we have a Church adjacent to our backyard. We recently came to know about the 150 Glendale Ave project and we are opposing it in current shape or form.

This is my math below:

Currently Ambria is proposing 72 townhomes X CAD 500,000 (assumed average price since Ambria is claiming in their website that starting price will be CAD 400k+) = Totalling CAD 36 million. I suggest if they choose to build 40 luxury, lifestyle street townhomes X CAD 900,000 = CAD 36 million.

I do not want to bombard you with links, but I am following real estate trends in St. Catharines and if the townhomes are in the luxury and lifestyle category, this price is reasonable in current market condition. And the market will go up further by the time they start putting homes for sale. Buyers who will buy these CAD 900,000 homes will be at a different income level and will not use these homes for student rentals, since the investment will make no sense.

Additionally, to protect my property below are my expectations from the builder.

- Since Ambria is proposing to remove the existing fence, we want them to put up a 6 feet 6 inches solid board fencing before the construction starts to ensure our privacy
- Planting along my property should be enhanced. Currently Ambria is planting a single row of crimson maples and red oak. They should add larger caliper trees and a second row of

coniferous trees (pine or spruce)

- Also they should plant lower shrubs to keep future residents away from the fence
- They should also plant shorter fence trees (8-10 feet) on my side of the fence to ensure privacy
- There should not be stacked townhomes since that will make the buildings too high, increase traffic since there will be too many people living in the one unit (considering \$400k+ starting price range, investors will be encouraged to buy these units for investments purposes and rent to students), even though they are not on my side of the property
- There should not be any garbage disposal facility anywhere near to the fence sharing with my property (not within 60 meter)
- The builder should not be permitted to construct buildings 5.5 meter from fence and raised decks about 3 meter from the fence. They should be at least 11 meter away
- There should not be any balcony at higher floors (2nd floor or the floor above ground floor or higher) on my side of the property, which will diminish my privacy

Please invite me to any future meetings the city is planning to hold with the nearby residents.

Thanks,
Pratik

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From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments and Photos Received RE: Question for clarification on variances for 150 Glendale
Date: Monday, April 19, 2021 4:16:59 PM

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



From: Rebecca Lewis <>
Sent: Monday, April 19, 2021 3:47 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Question for clarification on variances for 150 Glendale

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Hello, I attended the Open House meeting which occurred on April 6th, and would like to participate at the upcoming council of adjustment hearing on April 28th.

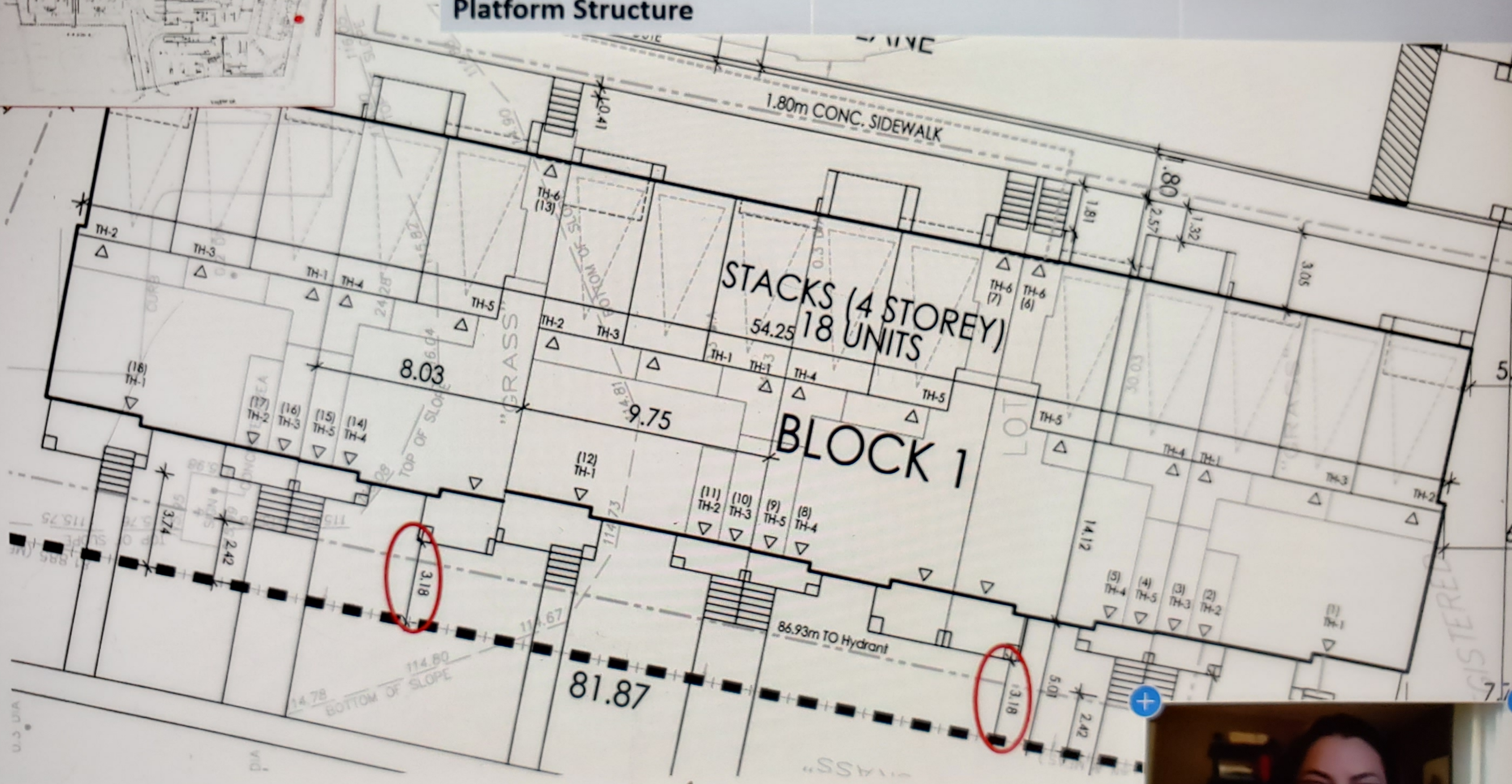
I have noted the variances requested on the Public Hearing notice posted outside the church, and tried to follow the variance quest description at the earlier Open House. I understand that units 1 to 4 are considered apartments, but I am confused at the definitions of what qualifies as their front, back and sides.

In the Open House, Block 1 the side of the building with the entrance doors is being called an "exterior side yard" (item #6 on the variance list), but for Block 2 that side of the building is called the "front yard" (item #4 and #5). What I would consider the side yard of Blocks 1, 2 and 4 are being called "rear yards" (item #3).

I have attached photos from that meeting as reference below. I feel that the definitions of what makes a front, side and rear yard are being manipulated by the developer in order to take advantage and shoehorn shoe-horn these buildings into an unsustainable space. I would appreciate these being properly defined so everyone can be on the same page for our discussion.

Thank you,
Rebecca Lewis

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MINOR VARIANCES

Required

Proposed

Front Yard to an
Apartment

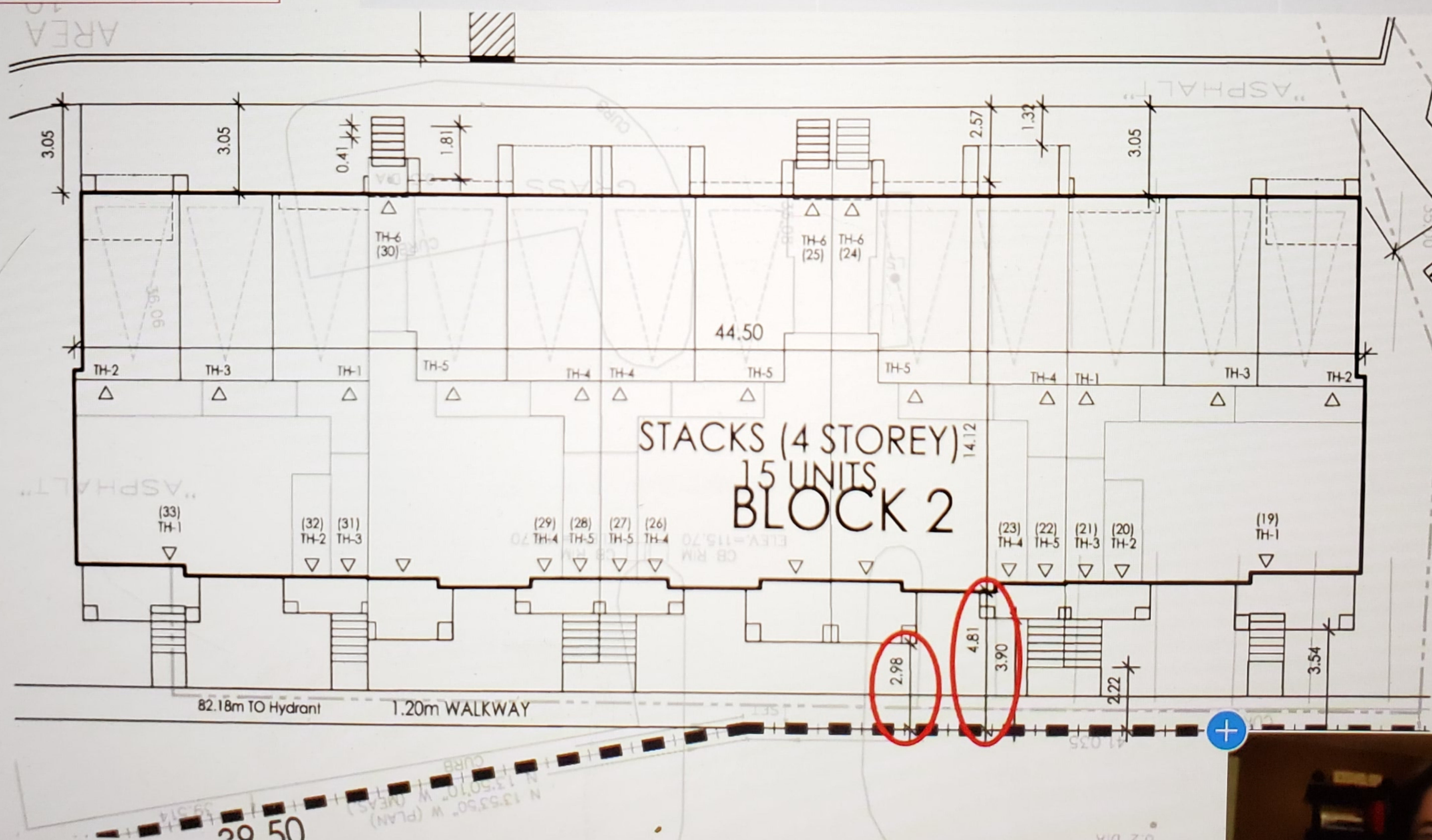
5 metres

4.81 metres

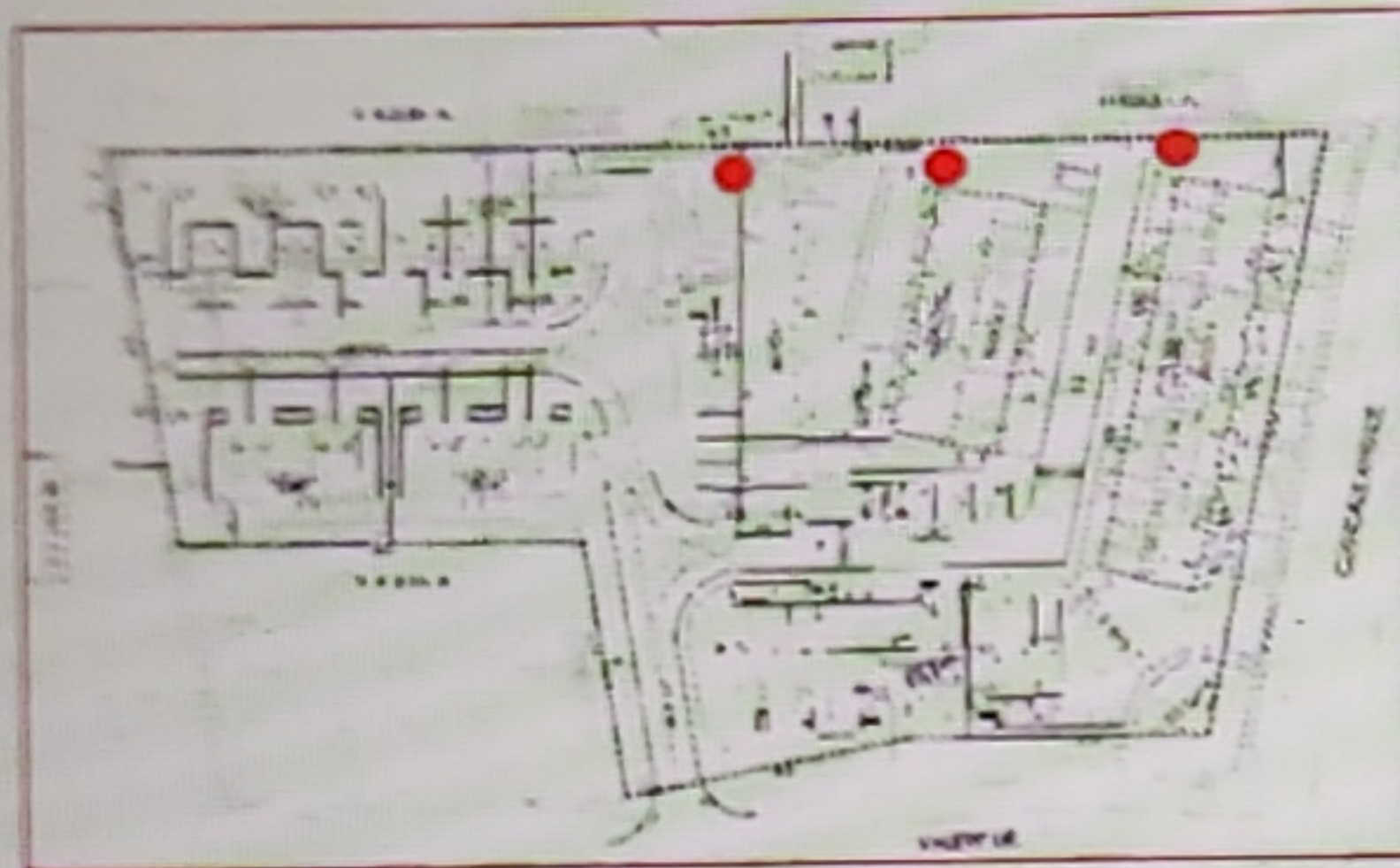
Front Yard to a Platform
Structure

5 metres

2.98 metres



Taya Devlin, Planner I



MINOR VARIANCES

Rear Yard to an apartment

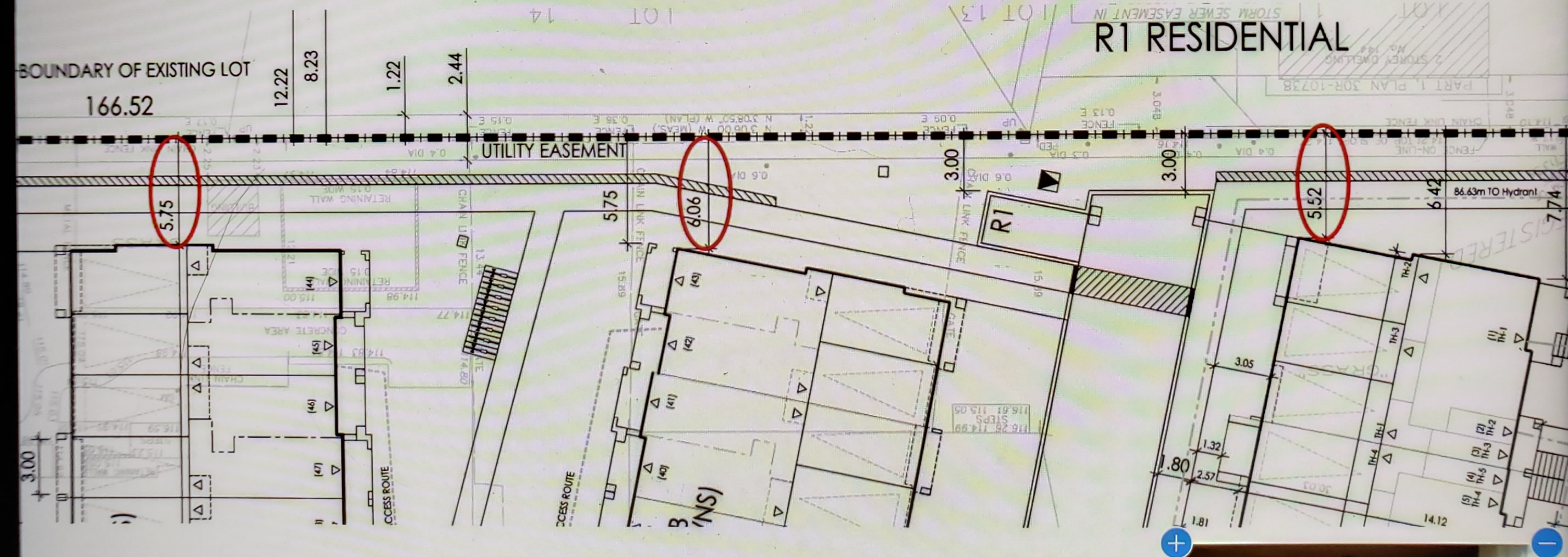
Required

11.16 metres (height of building)

Proposed

5.5 metres

R1 RESIDENTIAL



Taya Devlin, Planner I

THE CITY OF ST. CATHARINES

PUBLIC HEARING

File No. 21102239
Submission No. A-26/21

150 Glendale Avenue

An application for Minor Variance has been received under the above noted file number and will be heard by the Committee of Adjustment for the City of St. Catharines on

Wednesday April 28, 2021 @ 5:00 p.m.

With the approval of Council, Committee of Adjustment Hearings will be held electronically until further notice.

Application A-26/21 seeks relief from the City of St. Catharines By-law 2013-283, as amended, for the following variances for the proposed 72-unit private road development comprising of 17 street townhouses and 55 stacked townhouse units. There is a Site Plan Application.:

1. A reduction of min. parking width for parking spaces obstructed on two sides from 3.5 metres to 3.0 metres.
2. A reduction of min. accessible parking spaces from 3 spaces to 2.
3. A reduction of min. rear yard setback to an apartment building from 11.16 metres (height of building) to 5.50 metres.
4. A reduction of min. front yard setback to an apartment building from 5.0 metres to 4.81 metres.
5. A reduction of min. setback from front yard to a platform structure with a height above grade 1.2 m or greater from 5 m to 2.98 metres.
6. A reduction of min. setback from exterior side yard to a platform structure with a height above grade 1.2 m or greater from 5 m to 3.18 metres.
7. A reduction of min. setback from interior side yard to a platform structure with a height above grade 1.2 m or greater from 5 m to 4.79 metres.
8. A reduction in the distance between a private road and a dwelling from 3 m to 2.35 m.

For details on how to submit your comments or on participating in the Electronic Hearing, please contact the Secretary-Treasurer no later than by **April 23, 2021**:

Elaine Munro, Secretary-Treasurer, Committee of Adjustment, City Hall,
P.O. Box 3012, 50 Church Street, St. Catharines, ON L2R 7C2
905-688-5601 X1715, emunro@stcatharines.ca

For more information, please visit the Committee of Adjustment webpage at: <https://www.stcatharines.ca/en/governin/committee-of-adjustment.asp>





Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-26/21

File No: 21 102239 MV

Subject: 150 Glendale Avenue

Recommendation

That Application **A-26/21** by Ambria Mountainview Ltd., as outlined in the Notice of Hearing, be approved.

Report The Proposal

Application A-26/21 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following variances to facilitate the construction of a 72-unit private road development comprised of four blocks of stacked townhouses (55 apartment units) and four blocks of townhouses (17 units):

Variance	Provision	Required	Proposed
1	Minimum width for a parking space obstructed on two sides	3.5 metres	3 metres
2	Minimum accessible parking spaces	3	2
3	Minimum Rear Yard Setback to an Apartment Building (Blocks 1, 3 and 4)	11.16 metres (Height of Building)	5.5 metres
4	Minimum Front Yard Setback to an Apartment Building (Block 2)	5 metres	4.81 metres
5	Minimum Front Yard Setback to a platform structure with a height above grade 1.2 metres or greater (Block 2)	5 metres	2.98 metres
6	Minimum Exterior Side Yard Setback to a platform structure with a height above grade 1.2 metres or greater (Block 2)	5 metres	3.18 metres
7	Minimum Interior Side Yard Setback to a platform structure with a height above grade 1.2 metres or greater (Block 7)	5 metres	4.79 metres
8	Minimum Distance from a Private Road to a Dwelling (Block 8)	3 metres	2.35 metres

Location and Site Description

The subject property is located on the south west corner of Glendale Avenue and Valerie Drive. The property is surrounded by residential dwellings to the south, east and west and Woodgale Park to the north. The site currently contains Mountainview United Church, which is intended to be demolished to facilitate the proposed development.

Circulation of Application

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

Site Plan Approval

This development is subject to the Site Plan Approval process. An application for Site Plan Approval is currently under review by staff. Site Plan Control is one of the City's primary tools for implementing City and agency standards and urban design guidelines, including matters related to architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Once the applicant has met with the City's approval, a Site Plan Agreement is registered on title of the lands.

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. The designation allows a variety of low-density residential uses including townhouses at a density of 20 to 32 units per hectare.

Notwithstanding the above, the Official Plan allows for re-development of institutional uses, such as a place of worship, at Medium Density residential standards where the property is located on an arterial or collector road. Glendale Avenue is designated as a regional arterial road. Medium Density Residential standards in the Official Plan permit a variety of residential unit types, including townhouses and apartments at a density range of between 25 and 99 units per hectare, and height of buildings will generally not exceed 20 metres.

The proposed private road development contains 72-units at a density of 67 units per hectare, and is in keeping with the medium density targets established in the Official Plan.

Zoning By-law (2013-283)

The subject property is zoned Community Institutional (I2) which permits a variety of institutional uses, such as a place of worship or school, as well as residential uses permitted in the Medium Density Residential (R3) zone. The R3 zone permits private road developments, townhouses and apartment buildings. For clarification, stacked townhouses are considered apartments in implementation of the Zoning By-law.

Planning Analysis

Variance 1 – Reduced width of an obstructed parking space

Variance 1 requests a reduction in the minimum width for parking spaces obstructed on two sides from 3.5 metres to 3 metres. The City's Zoning By-law permits parking spaces within a private road development in tandem. The subject application proposes to provide tandem parking for a majority of the units, with one parking space in the driveway and the other in the garage (Blocks 3 thru 8). The proposed reduction applies to a total of 67 parking spaces, 66 of which are located in garages and 1 surface space, located at the southern extent of Block 4.

The intent of the increased width for obstructed parking spaces is to ensure that there is adequate width to accommodate a vehicle and room to open the doors and maneuver around the vehicle. In accordance with Section 5.4 of the the City's Official Plan, a reduction or elimination of vehicular parking requirements can be considered in certain circumstances, such as where transit is readily available, bicycle parking facilities are provided, and the applicant has demonstrated that the reduced parking standards will not aggravate parking supply.

The subject property is located on Glendale Avenue, which is a Regional Arterial, well served by transit, including both City and Regional bus routes. The proposed development also includes a design that allows for a majority of the parking to be provided in garages, with the parking and paving associated with the site contained internally, avoiding an expanse of asphalt along either frontage. Further, the application proposes to provide a total of 114 parking spaces (including the undersized obstructed spaces) which reflects a ratio of 1.58 spaces per unit, whereas the Zoning By-law requires 1.25 spaces per unit.

While the spaces are proposed to be narrower, the width proposed is consistent with the requirement for a space that is obstructed on one side, which allows for some additional width to accommodate movement around the parked vehicle. Staff are satisfied the spaces will be able to accommodate a vehicle and provide adequate parking for the proposed units. Staff also note that if the garage widths were enlarged, it would result in additional driveway widths, causing increased paving and a loss of landscaping, which is not desirable. Staff are of the opinion that Variance 1 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.

Variance 2 – Reduction of Accessible Parking

Variance 2 requests a reduction in the minimum required accessible parking from three (3) spaces to two (2) spaces.

In accordance with section 3.8.1 of the Zoning By-law, a number of dwelling types, including townhouses, are exempt from providing accessible parking. However, apartment buildings are not exempt. The proposed stacked townhouses (55 units) are considered apartments for the purposes of the City's Zoning By-law, and are therefore required to provide accessible parking. Based on the number of stacked townhouse units (apartments) proposed, a total of three accessible parking spaces are required, where only two have been proposed on the plans.

The intent of the minimum requirements for accessible parking is to ensure that there is sufficient and accessible access to the uses of a site for a broad range of users. While stacked townhouses are considered apartments in the City's Zoning By-law, the access to each stacked townhouse unit is similar to the access for the proposed townhouse units (independent staircase and entrance from the exterior). A majority of the units are proposed to have their own independent garage and all units in blocks 3 thru 8 have a garage and a second parking space in their driveway.

The accessible parking spaces are proposed to be located in the central surface parking area, east of block 3. The parking in this area is intended to serve residents and visitors. The accessible parking reduction from 3 spaces to 2 is considered to be minor in nature for the scale of development proposed and in consideration that Blocks 3 and 4 include two parking spaces per unit (garage and driveway). The applicant has satisfied the City that accessible parking has been provided to ensure access and accommodation for a broad range of needs. Staff has no concerns with the requested reductions in accessible parking.

Variance 3 – Reduction of Rear Yard Setbacks

Variance 3 requests a reduction of the westerly rear yard to an apartment building for the end walls of Blocks 1, 3 and 4 from 11.16 metres (height of the building) to 5.5 metres.

The zoning by-law requires a rear yard setback to an apartment building equivalent to the height of the building and the interior side yard setback to be equivalent to half the height of the building. The subject lands are located on a corner lot and therefore, as defined in the Zoning By-law, the front yard is Valerie Drive and the exterior side yard is Glendale Avenue. The westerly lot line is considered to be the rear of the site, as it is located opposite the property frontage. While the westerly lot line is the rear lot line by definition, the proposed buildings have a north/south orientation and the western facades of Blocks 1, 3 and 4 are the end walls of the stacked townhouse blocks. With this building orientation, the western lot line will function as an interior side yard for Blocks 1, 3 and 4.

Block	Height: Setback from Rear	Half Height: Setback from Interior Side Yard	Setback Provided
1	11.15 m	5.575 m	5.52 m
3	11.23 m	5.615 m	6.06 m
4	11.45 m	5.725 m	5.75 m

The proposed reduction to a 5.5 metre setback is considered to be minor in nature as the setback proposed is generally consistent with what is required for an interior side yard (half the height of the building). The buildings for Blocks 1, 3 and 4 range in height from 11.15 (Block 1), 11.23 (Block 3), and 11.45 (Block 4) and Blocks 1 and 3 are angled where a majority of the building is setback further than the proposed minimum.

The City's Official Plan supports and encourages development that is context sensitive and compatible with the surrounding neighbourhood. The subject lands are zoned to

permit Medium Density Residential, including apartment buildings to a maximum height of 20 metres and density of 99 units per hectare. The surrounding neighbourhood is zoned for Low Density Residential (R1), with the predominant building form being one and two storey detached dwellings. Within the R1 zone a height of 10 metres is permitted as well as private road developments with a rear yard setback from an end wall of 5 metres. The proposed setback of 5.5 metres from the end wall of the apartment blocks, with a maximum height of 11.45 metres, is considered to be appropriate and in keeping with the surrounding neighbourhood.

The applicant has satisfied the City that the reductions in setbacks will not compromise the grading and drainage of the site. Access to the sides of the proposed Blocks is adequately maintained. There are no privacy or overlook concerns caused or exacerbated by the reduction in rear yard. Adequate amenity space is maintained across the development. Staff has no concerns with the requested reduction in rear yard.

Variances 4 thru 6 – Reduction of Front and Exterior Side Yard Setbacks

Variance 4 requests a reduction of the easterly front yard setback to an apartment building (Block 2) from 5 metres to 4.81 and Variance 5 requests a reduction in setback for platform structures from 5 metres to 2.98 metres. Variance 6 requests a reduction of the northerly exterior side yard setback to a platform structure (Block 1) from 5 metres to 3.18 metres.

The setback reductions are proposed to allow for articulation along the building frontage, providing interest with amenity space (decks/balconies) along the street frontages. The front and exterior side yard reductions are considered to be minor in nature. The applicant has satisfied the City that the reductions will not compromise the grading and drainage of the site. The reductions also draw the buildings closer to the street frontages, allowing for increased area within the site to accommodate drive aisles for parking that can be accessed internally, rather than along the street frontages. There are no privacy or overlook concerns caused or exacerbated by the reduction in front and exterior side yards. Adequate amenity space is maintained across the development. Staff has no concerns with the requested reductions in front and exterior side yards.

Variance 7 – Reduction of Interior Side Yard Setback to a Platform Structure

Variance 7 requests a reduction of the interior side yard to a platform structure at the southern end of Block 7 from 5 metres to 4.79 metres. The 4.79 metre setback represents a pinch point caused by the angle of development in relation to the southern property line.

The 0.21 metre reduction is considered to be minor in nature. The applicant has satisfied the City that the reductions will not compromise the grading and drainage of the site and the side yard will still allow for adequate landscaping. Access to the sides and rear of the proposed Block 7 is adequately maintained. There are no privacy or overlook concerns caused or exacerbated by the 0.21 metre reduction in side yards. Adequate amenity space is maintained across the development. Staff has no concerns with the requested reductions in side yard to a platform structure.

Variance 8 – Minimum Distance from a Private Road to a Dwelling (Block 8)

Variance 8 requests a reduction in the minimum distance from the proposed private road to the corner dwelling of Block 8 from 3 metres to 2.35 metres. The 2.35 metre setback represents a pinch point where the private road bends around the northernmost unit of Block 8 and where a bumpout is proposed along the northern facade. The other blocks maintain a 3 metre setback from the private road.

The purpose of the setback is, in part, to allow for landscaping and prevent paving and building to overwhelm a site. The proposed setbacks to the dwellings of Block 8 still allow for sod and some larger plantings to be provided along the building façade. The reduction of this setback allows the landscaping along the southerly lot line to be maximized within the current layout. The layout is considered appropriate for the use of the land. There are no negative impacts anticipated as a result of the 0.65 metre reduction, and it is considered to be minor in nature. Staff are supportive of Variance 8.

Conclusion

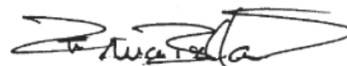
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application A-26/21 is in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and desirable for the appropriate use of the lands. Staff recommend that the application be approved.

Prepared and Submitted by:



Taya Devlin
Planner I

Approved by:



Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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

Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

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



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-27/21

12A Meredith Drive

DATE OF HEARING:
April 28, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-27/21

File: 21102150

Subject: 12A Meredith Drive

Recommendation

That Application **A-27/21** by Allen Castaban, Anna Lindal-Castaban and Erol Castaban, as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant proposes to build an accessory dwelling unit in the basement of an existing detached dwelling. The proposed accessory dwelling unit is larger than permitted in the City's zoning by-law. The variances outlined in the table below are required to facilitate the accessory dwelling unit.

Variance	Provision	Required	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m ²	96.3m ²
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	43.57%

Location and Site Description

The subject property is located on the south side of Meredith Drive. The neighbourhood is residential with a variety of dwelling types.

The subject property is presently occupied by a detached dwelling.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E3. Detached dwellings with an accessory dwelling unit is permitted in this designation.

Zoning By-law (2013-283)

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

Planning Analysis

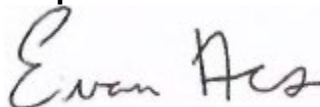
The applicant is requesting an increase to the permitted area for an interior accessory dwelling unit in a detached dwelling. The current zoning provisions permit an accessory dwelling unit to occupy no more than the lesser of 60 square metres or 40 percent of the floor area of the dwelling. Staff note that a potential increase in the current permitted size and/or percentage floor area of an accessory dwelling unit has been identified as an item for consideration under an upcoming housekeeping review of the Zoning By-law.

Effectively, this application is made to increase the size, adding a second bedroom, to support greater useability of an existing accessory unit in the basement of the detached dwelling. The applicant is proposing an accessory dwelling unit with a floor area of 96.3 square metres, which will occupy 43.57 percent of the floor area of the dwelling. The principal dwelling unit will remain larger in size than the accessory dwelling unit, and staff are satisfied that the accessory unit is subordinate in size and function to that of the principal dwelling unit, and will not result in the dwelling becoming a duplex dwelling. All other requirements for an accessory dwelling unit on this property are being met. There are two parking spaces and maintenance for exterior amenity space for both units. Staff find that this application is minor in nature, is desirable for the appropriate use of the lands, and meets the general intent of the Official Plan and Zoning By-law.

Conclusion

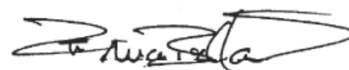
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-27/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown

Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

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Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

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92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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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The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
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340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-28/21

159 Beech Street

DATE OF HEARING:
April 28, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received - 159 Beech RE: Amanda No.21102269
Date: Tuesday, April 13, 2021 1:17:25 PM

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

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

From: Racheal Outram <>
Sent: Thursday, April 8, 2021 12:06 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Amanda No.21102269

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

To Whom It May Concern:

I the landowner of 57 George Street, St Catharines, Ontario, object to the application for minor variance revived from Ben Wadeson of 159 Beech Street, under the above noted file number.

I and several neighbours feel that the requested variance is not within the best interest of either our own property values or taxes, and is endangering the enjoyment of our own property, and the values and sense community we have nurtured here.

I would like to be kept in the loop about and decisions made, or further discussion regarding this matter.

Sincerely,

Frank Stevens

Sent from my iPhone

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Application 159 Beech Street
Date: Monday, April 19, 2021 3:49:30 PM

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



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

From: Kate Rocco <>
Sent: Monday, April 19, 2021 3:24 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Application 159 Beech Street

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

Dear Ms Munro and the Committee of Adjustment,

I fully support the application for Minor Variance from Mr. Benjamin Wadeson for the conversion of property on 159 Beech Street to a duplex. (Amanda No. 21102269 - Submission A-28/21)

The reasons for my support are:

1. The neighbourhood is older and often the minimum lot area, frontage and setbacks will not always apply to structures built in the past.
2. The house is very large, it can accommodate 2 families and may prove difficult to rent as a single family dwelling.
3. It will give tenants with families, who may not be able to buy property, the opportunity to rent in a neighbourhood within walking distance to schools.

Mr Wadeson is a highly skilled craftsman and has made significant improvements to this property. Perhaps the new siding and insulation have led to the necessity to reduce some setbacks?

My initial concern was parking in this area and the maximum parking area planned on the property would increase only by 10% of the total lot area. There will be sufficient space for the required parking spaces.

In conclusion, I urge the committee to support this application.

Best Regards,

Kate Rocco
Dufferin St. E,
St. Catharines

April 19, 2021

City of St. Catharines
Elaine Munro
Committee of Adjustments

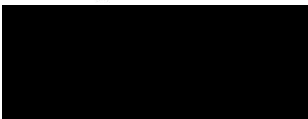
Re; 159 Beech Street

As per my last letter regarding the application for conversion to a triplex; my concerns for the duplex application are still the same. Higher density= less parking.

This particular property has a driveway that only a smart car can fit down. The current residents at 159 Beech Street own a very large pick up truck that is now on the street parking and the driveway and the rear yard sit vacant. Why? ... because the pick up can't fit down the drive with the house having a jut out and the neighbours clean out being there. I had asked for clarification on the legality of it being deeded a mutual drive or is this a neighbour to neighbour agreement. I do not see clarification on the legalities in the current application you sent out.... Still wondering where I can find out that information.

Allowing rear yards to become parking lots is not something I would like to see occur. Idling cars, backyard mechanics and inhaling exhaust fumes while trying to enjoy a backyard bbq or a backyard play equipment set is definitely not more enjoyable with all of the above having the potential to be present. Residents on Beech Street are already parking on George Street and Henry Street due to lack of parking.

This city will not allow parking in the front of properties, but we are going to allow 30% of this already small lot to become a gravelled parking lot??



Enclosure: (1)

Maureen Young
53 Henry Street
St. Catharines, On L2R 5T7

Maureen Young
53 Henry Street,
St. Catharines, On L2R5T7
[REDACTED]

Committee of Adjustment, City of St. Catharines

Attn: Elaine Munroe

RE; 159 BEECH STREET

The current parking is as follows

155 Beech Street.	NO PARKING
161 Beech Street.	NO PARKING
154 Beech Street	NO PARKING
157 Beech Street	1 (one) PARKING PAD
169 Beech Street	(1 (one) PARKING PAD (At Rear & accessed by Mutual Drive)
171 Beech Street	1(one) PARKING PAD (At Rear & Accessed by Mutual Drive)
156 Beech Street	1 PARKING PAD
148 Beech Street.	1 PARKING PAD
146 Beech Street	Nice Driveway
150 Beech Street	Nice Driveway
152 Beech Street	Nice Driveway
64 Henry Street	Parking for Triplex
61 Henry	NO PARKING. (CORNER OF BEECH & HENRY)
61 1/2 Henry	One Parking Pad
62 Henry	1 PARKING PAD
63 Henry	1 PARKING PAD
63 1/2 Henry St	1 PARKING PAD

Southeast and northeast homes on the corner of Beech and George both have parking for one car with drive way access only off Beech so their preferred street parking is Beech Street which accommodates their entry to their homes



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-28/21

File No: 20 102269 MV

Subject: 159 Beech Street

Recommendation

That Variances 1 to 7 of Application **A-28/21** by Benjamin Wadeson, as outlined in the Notice of Hearing, be approved.

Report The Proposal

Application A-28/21 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following variances for the conversion of a detached dwelling to a duplex dwelling:

Variance	Provision	Required	Proposed
1	Minimum Lot Area	560 m ²	348 m ²
2	Minimum Lot Frontage	12 metres	7.6 metres
3	Minimum Interior Side Yard (west)	1.2 metres	0.24 metres
4	Minimum Interior Side Yard (east)	1.2 metres	0.55 metres
5	Minimum Interior Side Yard Setback to a Platform Structure between 0.6m and 1.2m in height	1.2 metres	0.9 metres
6	Minimum Interior Side Yard Setback to a Platform Structure greater than 1.2m in height	1.2 metres	0.9 metres
7	Maximum Parking Area Coverage	20% of lot area	30% of lot area

Location and Site Description

The subject property is located on the north side of Beech Street, east of Henry Street. The property is surrounded by residential dwellings in all directions.

Background

In 1983, land severance and minor variance applications were approved to separate 159 Beech Street (with an existing single detached dwelling) and 161 Beech Street (also with an existing single detached dwelling) with a right-of-way on 161 Beech Street for the purpose of gaining access to the rear yard of 159 Beech Street. The City supported the consent and variances as appropriate for a single detached residential use and recognized the location of the existing garage on 159 Beech Street.

In 2007, a variance application was submitted for 159 Beech Street requesting nine variances to permit the detached dwelling to be converted into a duplex dwelling. The City did not support the requested variances to legalize the use of the property as a duplex. The application was denied.

In January 2021, an application was made to convert the building into a triplex, and 7 variances were requested under the current Zoning By-law. The City did not support the requested variances for the triplex dwelling, and the application was denied.

The current application is now made to permit the building to be converted to a duplex, with 7 associated variances requested under the current Zoning By-law.

Circulation of Application

This Application was circulated to all appropriate departments and agencies: No objections were received from those circulated.

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 E4 thereof. The designation allows a variety of low-density residential uses including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density of 20 to 32 units per hectare.

A duplex on the subject property would have a density of 57 units per hectare, which is not within the target density in the Official Plan when applied on a site specific basis.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2) which permits a variety of low-density residential uses including detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings subject to the provisions of the Zoning By-law. The Zoning By-law also permits an interior accessory dwelling unit within a detached, semi-detached or townhouse dwelling unit.

Planning Analysis

Variance 1 and 2 – Lot Area and Lot Frontage

The By-law provisions for duplex dwellings in the R2 zone require a minimum lot area of 560 square meters, and a minimum lot frontage of 12 metres. The variances are needed

to recognize the existing lot configuration, and effectively, the reduced lot frontage which was established through the consent approval granted in 1983. The subject lot is long and narrow. Given the existing lot depth (approx. 47 metres), if the frontage was 12 metres, the lot would meet the lot area requirements for a duplex dwelling. The proposed reductions in minimum lot area and lot frontage to not change or impact the existing parcel fabric and configuration along the street. Staff support the requested variances.

Variance 3 and 4 – Side Yard Setbacks

The applicant is requesting a reduction of the westerly interior side yard setback from 1.2 metres to 0.24 metres and a reduction of the easterly interior side yard setback from 1.2 metres to 0.55 metres. The variances are requested to recognize the location of the existing building footprint on the lot. No exterior additions or changes to the building are proposed, other than 2 platform structures in the rear yard. The proposed conversion of the use of the building from a detached dwelling to a duplex dwelling has no impact on the existing building footprint on the lot, or existing streetscape. Staff support the requested variances.

Variances 5 and 6 – Interior Side Yard Setback to Platform Structures

Variance 5 requests a reduction of the interior side yard setback from the lot line to a platform structure (between 0.6 metres and 1.2 metres in height from grade) from 1.2 metres to 0.9 metres. Variance 6 requests a reduction of the interior side yard setback from the lot line to a platform structure (greater than 1.2 metres in height from grade) from 1.2 metres to 0.9 metres. These variances are requested to permit the construction of a first storey deck and second storey balcony at the rear of the existing dwelling to provide a distinct amenity space for each of the proposed dwelling units. Additional combined amenity space for both units is also provided in the rear yard. Both platform structures are proposed at the same side yard setback of 0.9 metres, and in the opinion of staff, the 0.3 metre reduction is considered minor in nature.

The intent of the minimum setback is, in part, to avoid privacy and overlook concerns on adjacent properties, and ensure adequate room for access and maintenance around the structure. The structures should not have any significant impact on neighbouring properties being placed 0.3 metres closer to the lot line than permitted. There is adequate space around the structures for maintenance. The existing building is located closer to the lot line than the proposed platform structures, so the reduced setback is not going to further impact access along the west side of the property. Staff support variances 5 and 6.

Variance 7 –Parking Area

The property has an existing right of way across the neighbouring property to access an existing parking area at the rear of the site. The applicant proposes the required parking spaces for the duplex be located in this parking area. To accommodate the vehicular access and required spaces, Variance 7 requests an increase in the maximum parking area coverage requirement from 20% to 30% of the lot area.

Section 7.1 of the Garden City Plan states that development and redevelopment in the City of St. Catharines shall be evaluated having regard for the following:

- c) Building, site, streetscape and neighbourhood context sensitive design to ensure:
 - v) Provision of parking areas that do not dominate the site physically or visually and maximize opportunities for perimeter and internal landscaping.

The access and parking area is existing, and together with the proposed platform structures, it is the opinion of staff that the extent of the parking area will not impact on the degree of appropriate amenity space provided on site. Staff support variance 7.

Conclusion

Although variances are required to support the conversion of the detached dwelling to a duplex, the majority of variances relate to recognizing the existing lot configuration, building footprint and parking orientation on the site.

It should also be noted that an interior accessory dwelling unit is currently permitted 'as-of-right' on the site, at a maximum 60 square meters given zoning permissions, and would effectively be only marginally smaller than either of the duplex units proposed (75 square meters each).

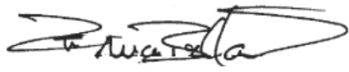
Additionally, staff recognize that an application in 2007 for a proposed duplex dwelling on the site was not supported by staff and denied. This was prior to the adoption of the City's new Official Plan (Garden City Plan) in 2012 and the new Comprehensive Zoning By-law in 2013. Further, an application for a triplex on the site made in January 2021 was also not supported by staff and denied.

The Official Plan supports the more efficient useability of land and services, the appropriate integration, intensification and greater mix of housing types in neighbourhoods, and more walkable and transit supportive development in close proximity to commercial and other services and amenities, and public transit. This is especially true within the City's Downtown (provincially designated Urban Growth Centre) and surrounding neighborhoods.

Although denying support for a triplex on the site in January 2021, it is staff's opinion that the use of the property for a duplex dwelling, and the integration of one additional unit on the subject property, supports the goals and objectives of the Official Plan.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Variances 1 to 7 of Application A-06/21 are in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and desirable for the appropriate use of the lands. Staff recommend that these variances be approved.

Prepared, Submitted, Approved by:

A handwritten signature in black ink, appearing to read "Bruce Bellows", with a large, sweeping loop at the end.

Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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

Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

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



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-29/21

1520 Fifth Street Louth

DATE OF HEARING:
April 28, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-29/21

File: 21102271

Subject: 1520 Fifth Street

Recommendation

That Application **A-29/21** by Hans Heinrichs and Marlene Heinrichs, as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant proposes to construct a barn as an accessory structure to the existing detached dwelling on the subject property. The building is taller than permitted, and the combined lot coverage of the proposed accessory structure combined with the existing detached dwelling and two existing accessory structures (small sheds) will exceed the permitted total lot coverage allowance. The purpose in constructing the barn is to support a hobby farm on the 0.40 Hectare (1 acre) site. The variances outlined in the table below are required to facilitate building the accessory building.

Variance	Provision	Required	Proposed
1	Maximum building height for an accessory building in the A1 zone	6m	6.782m
2	Maximum allowable lot coverage for residential use in A1 zone	15%	16.84%

Location and Site Description

The subject property is located on the east side of Fifth Street, between the South Service Road and Second Avenue.

The subject property is presently occupied by a detached dwelling and two smaller accessory buildings. The property is surrounded on the north, south and east by a large agricultural operation, and on the west by a mix of agriculture and rural residential uses.

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 Agricultural on Schedule D1 of the Garden City Plan (GCP) and further designated Agriculture on Schedule E11. Detached dwellings with accessory buildings are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Agriculture (A1). Detached dwellings with accessory buildings are permitted in this zone.

Planning Analysis

The applicant is proposing to build an accessory building on an agriculturally zoned lot. The accessory building is proposed to be 6.782 metres in height, whereas the zoning by-law permits a maximum building height of 6 metres for buildings of this type on smaller parcel fabrics in the agricultural area primarily used for residential purposes. Once built, the proposed accessory building combined with the existing detached dwelling and the two existing accessory structures will have a combined lot coverage of 16.84 %. The zoning by-law permits a maximum lot coverage of 15% for residential uses in the A1 zone. The proposed accessory building will be used, at least in part, for the small fruit orchard the owners are seeking to establish on the property. Given the proposed use of the building, and the small increases being requested for building height and lot coverage, staff find this application to be minor in nature.

The proposed accessory building is located in a suitable location on the lot and meets all required setbacks. The subject property is surrounded by an agricultural operation presently being used to grow trees and shrubs for wholesale (the surrounding agricultural use is not affiliated with the subject lands or the applicants). As such, there are no adverse impacts anticipated on neighbouring properties resulting from the increase in height or total lot coverage. The accessory building is proposed to be built in the southeast corner of the lot, adjacent to the septic bed for the property. Given the location of the septic system, this area of the property is of marginal value for agricultural use. Placing the accessory building in its proposed location allows for agricultural uses to be reintroduced elsewhere on the property, as the applicants intend to do. Therefore, staff find the application desirable for the appropriate use of the subject lands.

Height limits for accessory buildings are intended to limit impacts on neighbouring properties. Total lot coverage limits are intended to prevent overdevelopment on lots, and ensure adequate space is provided on properties for site drainage and outdoor amenity space. The proposed increase in height for the accessory building will have no adverse impacts on neighbouring properties. The increase in total lot coverage will not impact site

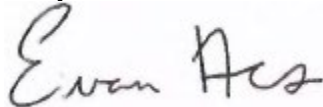
drainage and outdoor amenity space. The proposed accessory building is located a significant distance away from the dwelling, preventing the appearance of overdevelopment on the lot. Therefore, staff find the intent of the zoning by-law to be upheld.

Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for context sensitive design to ensure the integration of compatible building form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. The proposed accessory building is designed in a style that is sympathetic to the rural setting of the property. The proposal is in keeping with the spirit and intent of the Official Plan.

Conclusion

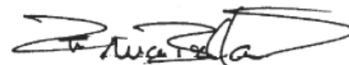
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-29/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Bruce Bellows
Senior Planner

VIA E-MAIL ONLY

April 15, 2021

Elaine Munro ACST
Committee Secretary and Planning Technician Committee of Adjustment
Corporation of the City of St.Catharines
50 Church Street
St. Catharines, Ontario, Canada
L2R 7C2

Proposal: To increase the maximum allowable lot coverage for an accessory structure, and to increase the maximum height for an accessory structure.

Location: 1520 Fifth Street Louth
St. Catharines, Ontario

Our File: MV-21-0026

Niagara Region Development Services Division has completed a review of the proposed minor variance for the above noted property and provides the following comments:

Private Sewage System

Private Sewage System staff have reviewed the minor variance application for the proposed accessory building to be built on the existing parcel, which also supports a residential dwelling. A septic permit was issued by our Department in 2019 for a raised filter bed located directly north of the proposed garage. Although the new garage appears to meet with the minimum setback to the tile bed, there is only 1-1.5 metres available for drainage between the garage structure and sand mantle of the filter bed. Care should be taken to ensure that drainage from the new building is directed away from the entire filter bed, which extends towards the house, 15 metres past the raised area. Therefore, our department has no objections to the proposed garage provided it contains no plumbing or living space. Please see the attached approved plan.

Conclusion

In conclusion, Regional staff does not object to the minor variance application subject to any local planning issues. We ask that the applicant be advised of the concerns regarding the drainage from the new building being directed away from the entire filter bed. Please send notice of any decision regarding this application. Should you have any further

questions or need additional information, please contact me or Susan Dunsmore, Manager, Development Engineering at extension 3661.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Matteo Ramundo', is positioned above the printed name.

Matteo Ramundo
Development Approvals Technician
Niagara Region

cc. Susan Dunsmore, Manager, Development Engineer, Niagara Region

MINOR VARIANCE APPLICATION SKETCH

1000 FIFTH ST LOUTH
ST. CATHARINES

CITY OF ST. CATHARINES - LOT GRADING PLAN FOR DETACHED GARAGE

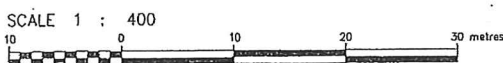
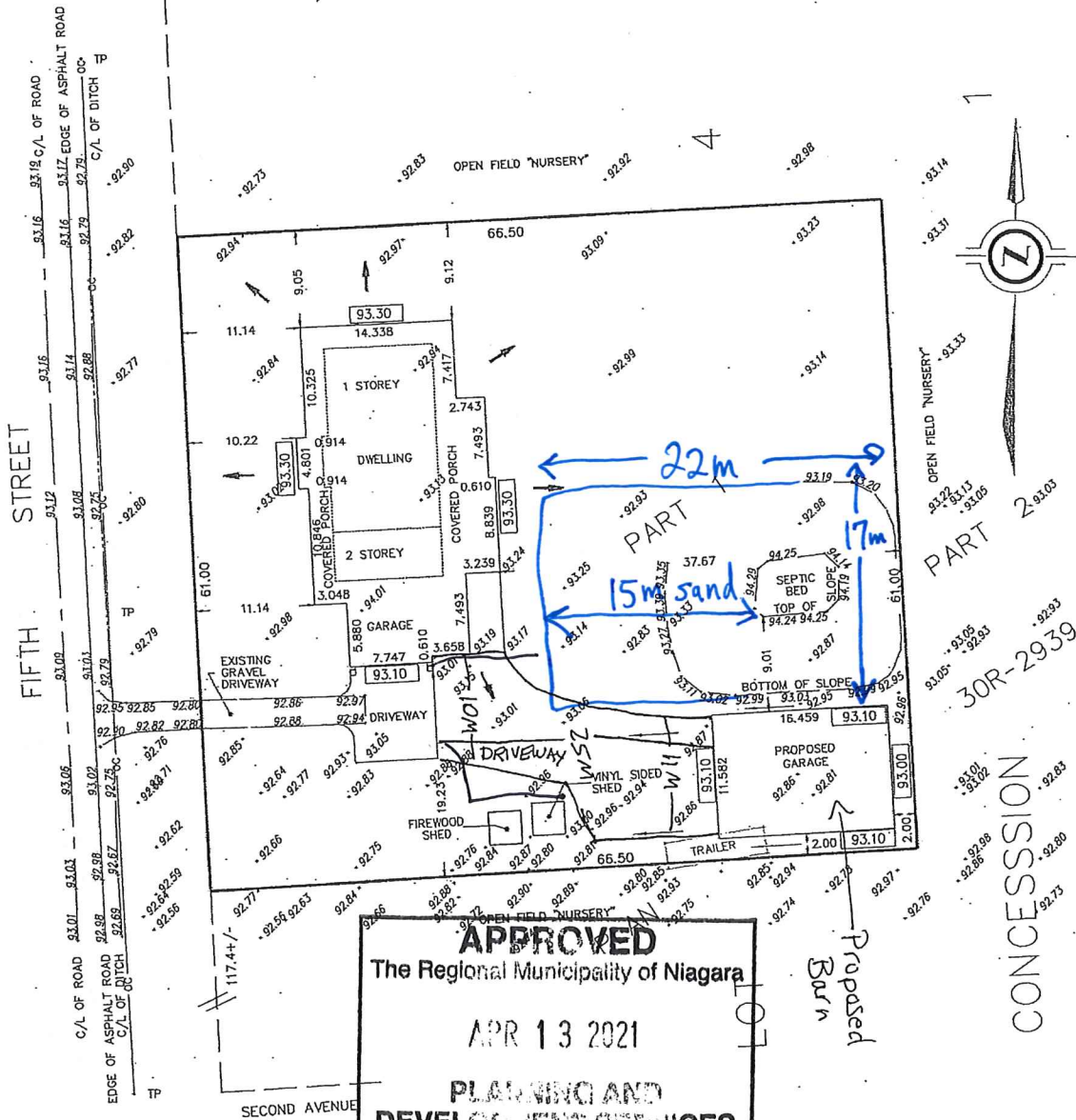
Legal Description PART OF LOT 4, CONCESSION 1
(BEING PART 1 ON PLAN 30R-2939)
Street No. 1520 FIFTH STREET LOUTH
Builder or Owner MARLENE AND JURGEN HEINRICH (905) 938-2675
NOTE: BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE
RECORDS AND FIELD MEASUREMENTS. THIS IS NOT A PLAN OF SURVEY.
THIS SKETCH DOES NOT VERIFY BUILDING CODE REQUIREMENTS.
© COPYRIGHT 2020

LEGEND

- Drainage Direction
- Setback Measurement —
- Downspout & Direction of Discharge —
- 150.0 Existing Ground Elevation
- 150.0 Proposed Ground Elevation
- (150.0) Finished Ground Elevation
- SW Swale
- Ⓢ Sump Pump

METRIC NOTE

DISTANCES AND ELEVATIONS SHOWN ON
THIS PLAN ARE IN METRES AND CAN BE
CONVERTED TO FEET BY DIVIDING BY 0.3048
ELEVATION NOTE
ELEVATIONS ARE OF GEODETIC ORIGIN
(CGVD-1928.78), DERIVED FROM GNSS
OBSERVATIONS AND NRCAN'S GEOID
MODEL HT2.0.



*UPDATED DEC. 15, 2020
TO SHOW DISTANCE FROM SEPTIC
TO PROPOSED GARAGE.

LOT AREA=4054 sq.m.
LOT COVERAGE=494 sq.m. (12.1)%
(ALLOWABLE MAXIMUM=15%)

Dwg	attached	DRAWN	BC	CHECKED	AH	ZONE	A1	REF.	1:400	SCALE	1:250
Proposed Grading Certification						As Constructed Grading Certification					
I hereby certify that the proposed grading shown is compatible with abutting lands.						I hereby certify that I have taken the finished grades shown, and that the grading of this lot does not impact adversely on abutting lands.					
 ALAN J. HEYWOOD O.L.S. Date DEC. 15, 2020						Date _____ O.L.S. _____ ALLAN J. HEYWOOD					
Accept by City _____ Date _____											

DETACHED GARAGE PROPOSED ELEVATIONS

- 93.40 - TOP OF FOUNDATION
- 93.10 - FINISHED GARAGE FLOOR
- 93.10 - GRADE (FRONT)
- 93.00 - GRADE (REAR)

(FOOTINGS TO BE DEEPENED IF NECESSARY
TO PROVIDE PROPER FROST COVERAGE)

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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Thanks

Doug Crown

Network Planning Department

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7170 Mcleod Rd
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T 289-296-6266 Ext 8434 | C 905-401-9967

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

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Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



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To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

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No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
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83 Louth Street, A-31/21SC
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Development Engineering have reviewed the above applications and have no comments or objections other than the following:

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 - 447 Geneva Street
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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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-30/21

340A Lakeshore Road

DATE OF HEARING:
April 28, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 20, 2021

Date of Meeting: April 28, 2021

Report Number: A-30/21

File: 21 102274

Subject: 340A Lakeshore Road

Recommendation

That Application **A-30/21** by 340A Lakeshore Road Inc., as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant proposes to install a set of three silos adjacent to the east wall of the existing industrial building. These silos and associated scales will be used to load trucks with cement powder. Application **A-30/21** seeks relief from Zoning By-law 2013-283 to permit this loading space to be located in a front yard.

Location and Site Description

The subject property is located on the west side of Seaway Haulage Road, south of Lakeshore Road. The property is surrounded by the Heddle Shipyard to the north, the Welland Canal to the west, and agricultural uses to the south and east. The agricultural uses to the east are designated and zoned for future employment uses. The subject property is presently occupied by a mix of industrial uses.

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 Employment on Schedule D1 of the Garden City Plan (GCP) and further designated General Employment on Schedule E2 thereof. A range of industrial uses are permitted, including manufacturing, processing, warehouse and transportation terminals.

Zoning By-law (2013-283)

The subject property is zoned General Employment (E2). Light Industrial and Heavy Industrial uses are permitted, including manufacturing, processing, warehouse and transportation depots.

Planning Analysis

Section 3.10 of Zoning By-law 2013-283 restricts the placement of loading spaces to interior side yards and rear yards, and no closer to any road than the building. The proposed loading area would be placed in a triangular area adjacent to the east wall of the existing building. The proposed loading silos are not located closer to Seaway Haulage Road than the existing building due to the angle of the building relative to the road, but the loading area would also not be located in a side or rear yard as required by the general provision.

The intent of the by-law is to ensure that loading activities – typically traditional loading docks associated with commercial and industrial operations - are placed discretely where they will have minimal impact on the streetscape in terms of both visual impact and potential nuisance. The proposed silos will function differently than the loading docks that the by-law is generally intending to regulate, but nevertheless do constitute a loading activity. While there is nothing in the by-law that would prohibit the placement of storage silos in the proposed location, the associated loading operations, which include trucks driving beneath the silos, triggers the need for the proposed variance.

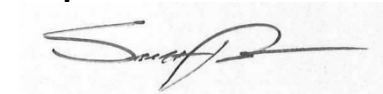
The lands around the loading area will need to be paved, with a landscape buffer installed along the Seaway Haulage Road frontage to partially screen the ground-level operations such as the scale. The proposed loading area is not located adjacent to any sensitive use and staff are of the opinion that the proposal is appropriate within the context of these industrial lands. The proposed operations are consistent with the permitted mix of heavy industrial uses contemplated for these lands. It is staff's opinion that the requested variance is minor in nature, is appropriate and desirable for the use of the land, and maintains the general intent and purpose of the Zoning By-law and Official Plan.

Staff recommend that the variance be approved, as outlined in the Notice of Hearing

Conclusion

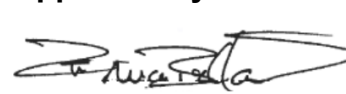
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-30/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared and Submitted by:



Scott Ritchie
Urban Design Planner

Approved by:



Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Minor Variance, A-30/21, 340A Lakeshore Road
Date: Friday, April 23, 2021 3:49:18 PM

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



From: John Ariens <John.Ariens@IBIGroup.com>
Sent: Friday, April 23, 2021 3:26 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: FW: Letter to Committee of Adjustment

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Dear Ms Munro: RE: A 30-21, 340A Lakeshore Rd

On behalf of the purchaser and pending owner of the lands on the opposite side (east side) of Seaway Haulage Road and directly across this road please accept this email as our clients comments with respect to the above variance application.

Our client has received and reviewed the proposal to establish silos and a loading facility in the front yard along Seaway Haulage Road. We have also had discussions with Stubbe's. As long as the proposed use of these lands and any proposed additional use or facility is fully compliant with municipal and provincial requirements (Certificates of Approval, Noise By-laws, Site Plans, etc) based on the existing land uses and existing zoning permissions as are currently established for this area he has no concerns. We fully expect that this use and the proposed front yard loading facilities will be subject to normal municipal site plan requirements and will also have to adhere to existing emission (air and dust) and noise regulations and requirements. Please confirm that this is the case and accordingly our client will have no issues.

Municipal Planning Staff are aware that our client is actively pursuing a residential and mixed use subdivision upon the easterly portion of the lands across from Stubbe's and will be maintaining a minimum 60m wide light industrial strip along the entire easterly side of the Seaway Haulage Road. This together with a 20m wide drainage corridor and the 30m width of the Haulage Road will insure that the proposed residential development is a minimum of 110m from the Stubbe's front lot line. Through the use of NPC-300 and special building design and orientation techniques a compatible interface will be created between Stubbe's the other industrial use being the Heddle Shipyards and the proposed residential and mixed use development. This has always been our clients goal. Accordingly the permitted and orderly continued use by Stubbe's and Heddle will not be adversely affected by the proposed residential and mixed use conversion. As long as Stubbe's and Heddle remain fully compliant with existing municipal and provincial requirements no opposition to the

variance is presented.

Please provide Notice of the Committee decision.

Thank You: John

John Ariens MCIP, RPP

Associate Director | Practice Lead, Planning

mob

IBI GROUP

Suite 200, East Wing

360 James Street North

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: SLSA - No objections - RE: Minor Variance Application, 340A Lakeshore Road, City of St. Catharines
Date: Wednesday, April 14, 2021 3:35:33 PM

Elaine Munro ACST
Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca

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

From: LAllen@seaway.ca <LAllen@seaway.ca>

Sent: Wednesday, April 14, 2021 2:54 PM

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

Cc: ALo@seaway.ca; 'KMageren@seaway.ca' <KMageren@seaway.ca>; Banda, Wilrik <wbanda@stcatharines.ca>

Subject: RE: Minor Variance Application, 340A Lakeshore Road, City of St. Catharines

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Afternoon

Thank you for providing the information regarding the Minor Variance Application, 340A Lakeshore Road, City of St. Catharines. We have conducted a preliminary review and do not have any objections to the proposed Variance application.

The SLSMC respects its right to add or modify the above as required.

Hope this helps

Thanks

Lisa Allen

Real Property Management Officer| Agent, gestion des propriétés immobilières

The St. Lawrence Seaway Management Corporation Corporation de Gestion de la Voie Maritime du Saint-Laurent

905-641-1932 ext. 5068 | poste 5068

www.greatlakes-seaway.com

April 16, 2021

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

Attention: Elaine Munro

File# 21 102274

Re: 340A Lakeshore Rd

In response to your correspondence dated April 6, 2021, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- We have NO objection(s).

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)

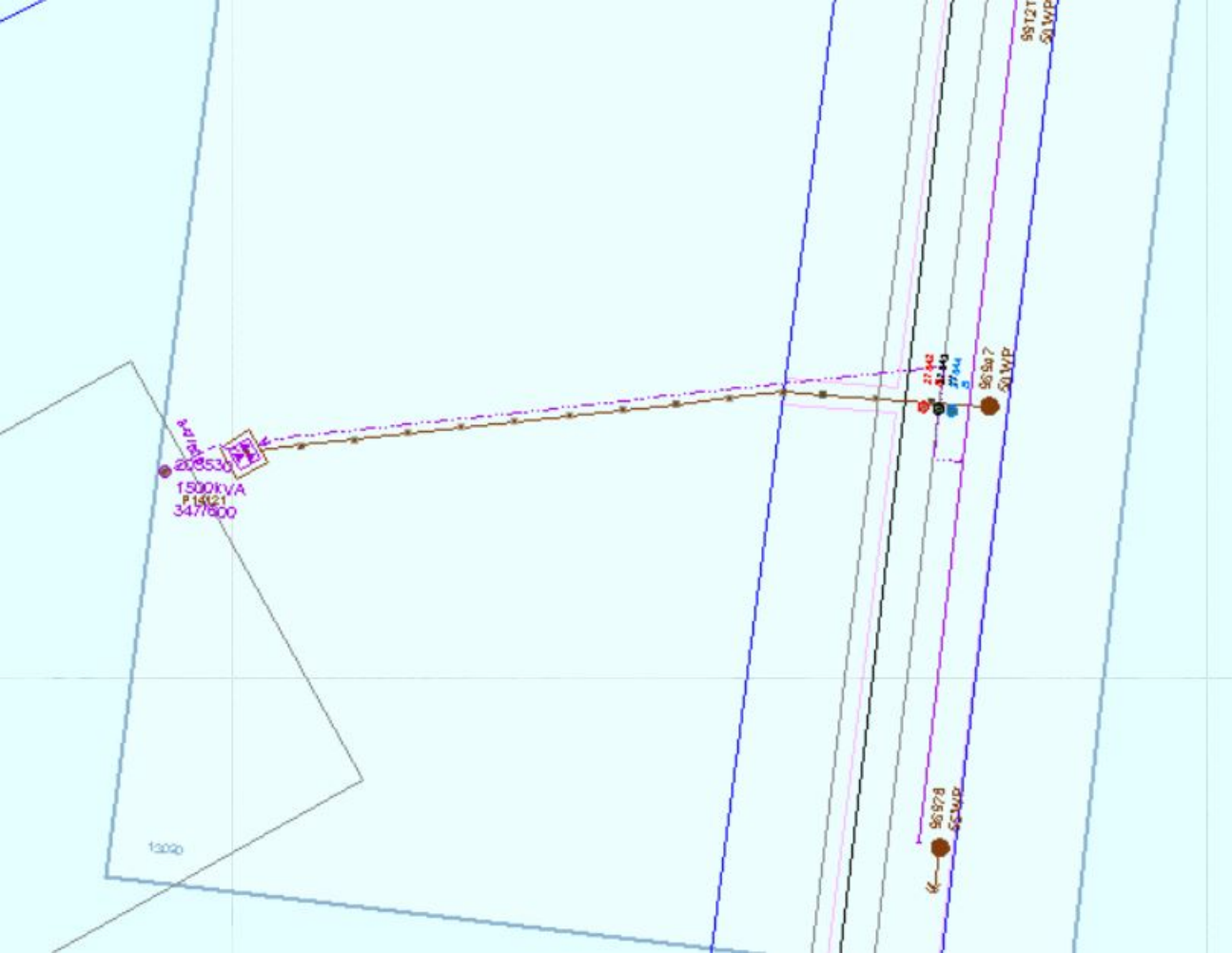
- CAN/CSA-C22.3 No. 1-15, Overhead System
- C22.3 No. 7-15 Underground Systems

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 905-798-2517 in our Engineering Design Department.

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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

Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

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



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-31/21

83 Louth Street

DATE OF HEARING:
April 28, 2021



Daniel & Partners LLP
LAWYERS

April 22, 2021

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

Dear Ms. Munro:

Re: 83 Louth Street, St. Catharines
Minor Variance Application File A-31/21

We have been retained by Gary Eckhardt, the owner of 81 Louth Street, St. Catharines with respect to this matter. Mr. Eckhardt's home is located immediately to the south of the subject lands and will bear the brunt of this proposed overdevelopment of the adjoining property. Mr. Eckhardt opposes the approval of all of the variances sought in this application.

Niagara Navigator Images

I have enclosed three images taken from the Niagara Navigator site. The first shows the location of Mr. Eckhardt's home at 81 Louth Street in relation to the subject property. The residence and pool are located extremely close to the property line. The proposed driveway for the townhouse development is to be located adjacent to the south boundary of the subject property, next to Mr. Eckhardt's home.

The second and third images show the lot sizes and built form of this section of Louth Street. The area is characterized by large lots on which single family residences are located. There is nothing in the neighborhood which even remotely resembles the proposed six unit townhouse development.

Are the proposed variances minor in nature?

The variances requested will have significant negative impact on the adjoining properties and will have significant impact on the continued use of the adjoining properties.

With respect to 81 Louth Street, the variance to the minimum landscape buffer will result in his home being located closer to the proposed development's driveway with less landscaping are to lessen the impact of vehicles traveling beside his house and pool. The developer should be providing increased buffering in this instance rather than seeking to lessen the minimum standards established by the zoning by-law for the protection of adjoining property owners.

The cumulative effect of the four variances requested is to permit the subject property to be overdeveloped. Absent the variances the property could be developed for fewer units with increased buffering to protect the existing residential uses from the negative impact of vehicles and residents from 6 new townhomes. Taken as a whole, the impact of the variances on the adjoining properties is not minor.

I do not consider that the two-story design of the two townhouse blocks is sufficient to address compatibility with the neighborhood – the lot coverage of the proposed dwellings and the hard surfaces for the driveway and parking areas are not found elsewhere in this neighborhood.

Are the proposed variances desirable for the appropriate use of the land?

As stated above, the cumulative effect of the variances requested is to permit 6 townhouse unit to be constructed on a property that does not have sufficient area to meet the minimum zoning standards. In my submission the approval of these variances will result in the overdevelopment of the subject property, which is never desirable. Just because you can, by reducing the minimum zoning standards, shoehorn six townhouses onto a property in a neighborhood that is predominantly single family residential does not mean that you should.

Do the proposed variances meet the intent of the Official Plan?

The Official Plan for the City of St. Catharines contains the following provisions regarding urban design and built form:

4.2. Urban Design Principles

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

Development and redevelopment within St. Catharines will be based on the following sustainable design principles:

- b) innovative, sustainable and context sensitive building, site, streetscape and neighbourhood design;
- d) compatibility of new development and redevelopment within established areas;
- m) greening.

4.3. Built Form

Built form refers to the arrangement of buildings and their relationship to each other, and to the natural environment. It plays a large role in defining the character of an area. New development in St. Catharines will primarily be by way of intensification and redevelopment, and urban design will have a significant impact on how the new development will fit with established areas. Compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area. Where there is no discernable character, new development will set the standard for future development.

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that reflects the principles established in Part C, Section 4.2 of this Plan and that supports and maximizes compatibility with the surrounding area in terms of the following matters:

a) Building scale, height, gradation of height, and massing.

b) Spacing of buildings.

j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls, and massing; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.

It is my submission that the proposed minor variances will permit the development of the subject property in a manner that is not compatible with the established area particularly in relation to the overall scale of the development as it relates to the surrounding area. As such, the proposed variances do not meet the intent of the Official Plan in relation to the urban design and built form policies set out therein.

The St Catharines Official Plan contains the following provisions with respect to the development of property:

7.1 Development / Redevelopment

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

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;
- 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;
- iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;
- iv) Adequate and appropriate lot size, shape and configuration, access, on-site facilities and outdoor amenity areas to accommodate use;
- v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.

It is my submission that the proposed minor variances will permit a redevelopment of this property which is out of character and incompatible with the surrounding neighborhood and will result in adverse impacts to the existing residents of the neighborhood. The proposed configuration with residences adjacent to the rear yard amenity spaces of the adjoining lots is not appropriate or desirable and is not in conformity with the Official Plan policies.

Do the proposed variances meet the intent and purpose of the Zoning By-law?

Zoning by-laws establish minimum standards for setbacks and landscape buffer areas to promote compatibility of adjoining uses and to limit conflicts between these uses. The proposed minor variances will not promote

these goals and will inevitably lead to conflict between neighbors, as they permit the overdevelopment of the property. If the developer built fewer units the units could be accommodated on the property without the need for variances, and with room for adequate buffers between the adjoining properties.

In my submission the proposed variances do not meet the intent and purpose of the zoning by-law.
Please provide me with a copy of the Committee's decision.

Sincerely,

DANIEL & PARTNERS LLP

Per:

A handwritten signature in black ink, appearing to read 'Callum', with a long horizontal flourish extending to the right.

(Callum Shedden)

CS/ak

Encl.



Legend

- Streets Labels
- Provincial
- Regional
- Municipal/Private Roads
- Unimproved Roads
- Future/Planned Roads
- Address Points
- Assessment Parcels



0.0 0 0.01 0.0 Kilometers



Notes

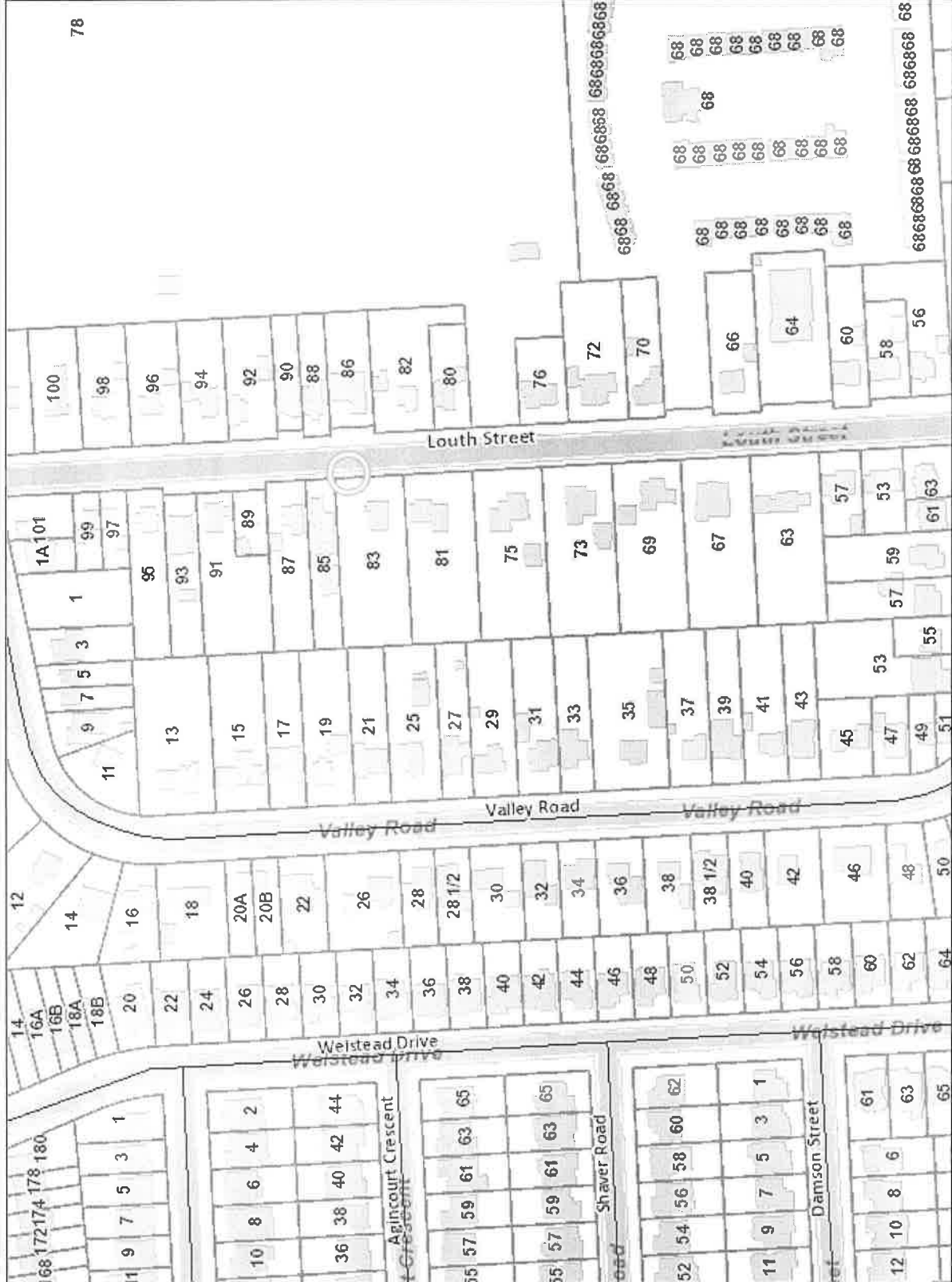
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Legend

- Streets Labels
- Provincial
- Regional
- Municipal/Private Roads
- Unimproved Roads
- Future/Planned Roads
- Address Points
- Assessment Parcels



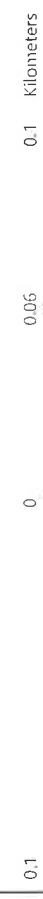
Notes

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- Legend**
- Streets Labels
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 - Address Points
 - Assessment Parcels



Notes

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From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Notice of Hearing
Date: Wednesday, April 14, 2021 9:19:29 AM

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

From: Trent Akalu < >
Sent: Tuesday, April 13, 2021 7:15 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Hearing

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

Good evening,

We are writing you about Amanda No. 21102283/Submission No. A-31/21.

We are residents in the immediate area of 83 Louth Street and reside at 61 Valley Road.

We would like to object to the variance in zoning and do not support townhouses in this area.

This is a quiet residential area. Larger developments are not consistent with this quiet and peaceful neighborhood.

Regards,

Trent & Brittany Akalu
61 Valley Road

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: RE: Comments Re: Proposed Minor Variance on 83 Louth Street
Date: Saturday, April 17, 2021 4:21:46 PM
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

From: Sharon Reeds <>
Sent: Friday, April 16, 2021 5:50 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Comments Re: Proposed Minor Variance on 83 Louth Street

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

Hello,

I am writing in regards to the proposed Minor Variance from 1814116 Ontario Inc. for 83 Louth Street. No. 21102283, Submission No. A-31/21.

We are opposed to this variance for a few reasons, with the most significant concern being drainage—the land near where Louth & Valley road lots meet are susceptible to flooding every year. If you review Google maps, it shows a creek that runs through the properties, primarily on the Louth properties. If these variances are approved, what is the plan for drainage?

Should this variance be approved, it will create a domino effect with more properties on Louth selling and more townhomes being built. What does drainage look like when there is an entire stretch of townhomes? What infrastructure is required for these builders to prevent the flooding of those who make the mistake of purchasing a townhome from them? What is the impact on neighbouring properties?

Currently, a fraction of the lot at #83 Louth is covered in hard surfaces. Should these townhomes be built, the majority of the lot will be paved. Hardscaping removes the natural drainage that natural coverings offer, perpetuating the natural drainage at the intersection of neighbouring properties. Who is liable for the flooding that occurs?

I am happy to discuss these concerns further; please feel free to reach out at any time.

Warm regards,

Sharon Reeds
Co-founder / CEO
W: intuitiveshipping.com



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April 15, 2021

Re: Notice of Hearing 83 Louth St. Objections

Dear Committee,

Randy & Norma Lisoy oppose the proposed plan for 83 Louth St by 1814116 Ontario Inc.

We understand that the owner of 83 Louth St. paid a record price for this property. In order to justify their cost, they are expecting to receive special privilege by means of the proposed variance request at the neighbourhood's expense. The City Bylaws have been enacted to promote a healthy living environment and protect people and communities. This proposal shall follow the The City Bylaws to protect our community. If variances to this code are granted to the Owner in order to recover overpayment for the property, the neighbours will suffer. With these variances, it greatly increases density on the proposed lot and proposes structures far too close to neighbouring homes. The proposal would allow overbuilding past site setbacks on all sides - grossly overdensified - in a neighbourhood of low density. This is an intrusion to all of the neighbours' privacy and quality of life, and a shock to the density established in our neighbourhood. Consider the current density of our neighbourhood - at less than 7.5 units/hectare - against the proposed 28.5 units/hectare (Minor Variance Application, p. 1) where the proposal justifies a shock in density with the simple ability to fit a lawnmower down the side yard. Further, it will impose a loss of daylight to neighbouring homes, a major disruption of views to the open parkette that this community has created, and loss of privacy to name a few. This proposal and variances are not harmonized with our neighbourhood at all.

The people of our neighbourhood have worked hard to create a wonderful parkette in our back yards, hinged on the St. Francis Creek which flows through the center. There are many species of birds in our parkette, including the American Kestrel, Red-winged Black bird and the Red-breasted Woodpecker. The Owners of homes between 69 Louth St. and 83 Louth St. have collectively worked to create this greenspace in our back yards, creating an open habitat for these birds, foxes, rabbits, ducks and other wildlife. 83 Louth St. is the most densely treed lot in our neighbourhood. The Minor Variance Application, p. 3, notes that existing trees on the site will be maintained, yet does not show any in the proposed plan. The proposal destroys our parkette.

This proposal converts a significant area to hardscape. The grade of all properties from Louth St. and Valley Rd. already slopes towards the St. Francis Creek. With the removal of permeable ground, what will happen to the flow of stormwater if the proposal shall be permitted? The St. Francis Creek drains to the north at Valley Rd. This Creek flows through the parkette, and swells upward onto the properties upon a stormwater surge. The few neighbours who have decided to extend the use of their land by infilling the creek have been required by the Engineering Department of St. Catharines to install culverts to prevent impact on the flow of water in the St. Francis Creek. Will a culvert will be installed to allow the water to flow naturally under any type of development at 83 Louth St? How will stormwater from the structures and hardscapes proposed be managed when the St. Francis Creek swells seasonally? According to the Minor Variance Application, p. 3 "this site does not have any physical constraints that would prohibit the proposed use, for instance, these units can efficiently utilize the municipal services (water, sanitary and storm sewers) and manage the drainage on the site without surface water implications to adjacent properties." - yet the proposed hardscapes will add to the flow of

rainwater down St. Francis Creek, promoting faster and larger surges onto our properties both upstream and downstream.

The proposal does not include any visitor parking on site. Developments have increased use of visitor/tenant/owner parking on Louth St. already. Combined with the Track and Field events taking place in West Park Niagara Olympic Club, parking is nearing capacity. The proposal will only worsen parking with no plan to provide adequate owner/tenant/visitor parking on site. Louth St. is becoming a highly-trafficed regional road that has seen a major increase in speeding vehicles, with vehicles frequenting 30-40kph over the allowed speed limit. Increase in traffic flow has been promoted by development such as the townhouses located at 68 Louth st., and the DSBN Academy located at 130 Louth St., both on the south side of Rykert St. On the north side of Rykert St. there is a new apartment complex being built near the intersection of Louth St. and Rykert St. and a Senior's Residence being built at the intersection of Louth St. and Chetwood St. This proposal at 83 Louth St. will cause even higher frequency of traffic on Louth St., promoting both parking congestion and an increase to traffic flow.

In conclusion, we - as neighbours - feel that 83 Louth St. should remain as a single dwelling residence and that these variances should not be allowed. There will be a great impact to the neighbourgood should the variances and proposal be permitted as outlined.

We truly hope these concerns will be taken seriously for the development of 83 Louth St. We plan to attend the virtual hearing and look forward to your feedback.

Sincerely,
Randy & Norma Lisoy
73 Louth St.
St. Catharines

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Application A-31/21, 83 Louth St., St. Catharines
Date: Wednesday, April 21, 2021 7:39:37 AM

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



From: David Fleming <>
Sent: Tuesday, April 20, 2021 10:52 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Application A-31/21, 83 Louth St., St. Catharines

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

Dear Miss/Mrs/Ms Munro

I write this letter in response to the application in question A-31/21 and the sought relief from zoning by-law 2013-283.

Being in an adjacent property we have particular interest and concern over these variances and construction of so many units within one existing lot. I, as do many others feel that this project will not fit in with the majority of dwellings in the immediate area being that most are 1 or 1.5 storey and this project is 2+ storey.

I feel that these units will not blend with the surrounding properties and will become an accident scene waiting to happen. We are also concerned with the requests for reductions in items 1 thru 4. These bylaws were implemented for a particular reason which has worked up until now. If they cannot abide by the by-laws then they should rework the plans to fit WITHIN those by-laws. Each time variances are allowed on a by-law they set a new precedent which will be challenged again in the future and before long future units will be packed in like sardines.

St. Catharines is a nice City and I have seen growth which is good and growth which is bad. This I feel is not good and the only ones benefiting from this is the developer. Hold fast to the standards and by-laws before it's too late.

I would also site what was 13 (I believe) Valley Rd. which was requesting 2 Duplexes on a lot not that different in size from this lot at 83 Louth. That would have been 4 units with separate garages and not fitting in with the surrounding homes. This application is for 6 individual units with parking for 5 to 20 spaces. That is a HUGE difference which will affect all of us in the immediate area. This doesn't

touch on the fact that beautiful, mature and possibly uncommon trees will be removed for the sake of 6 dwellings.

Synopsis

Hold to the City By-laws and do not allow these requested reductions. They may seem miniscule on paper but they were written into law for a reason. Don't give in.

We feel that 6 units is far too many and that if this construction IS to be allowed it should be maximum 4 units. There is enough profit there for the developer. He doesn't care what it does to the surrounding residents. He makes his profit and is gone back to his own, usually expansive property elsewhere, never to look back.

We have a right to construction properties on adjacent lots that fit in with and compliment ours, not tower over, invade our privacy and create a congested "private" road on to a main road such as Louth St.

Please and Thank You for addressing our concerns

David Fleming

19 Valley Rd.

St. Catharines, ON

L2S 1Y7

XXX-XXX-XXXX

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Notice of Hearing - Amanda No. 21102283 Submission No. A-31/21 - 83 Louth Street
Date: Wednesday, April 21, 2021 10:49:12 AM

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



From: Dan Perossa <>
Sent: Wednesday, April 21, 2021 10:42 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Hearing - Amanda No. 21102283 Submission No. A-31/21 - 83 Louth Street

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

Hello,

I am writing to comment on Amanda No. 21102283 Submission No. A-31/21 - 83 Louth Street, St Catharines.

I live at 88 Louth St, St. Catharines, ON L2S 2T4, directly across the street from this proposal of a new build of 6 townhouses.

My complaints are the following:

1. Variances - This plan requires 4 variances in order to squeeze this very large build into a small lot. Each variance requested here will move the units too close to the existing houses at 81 and 85 Louth Street in order to fit the Private Road. I believe it is to fit a large enough unit for resale, since without these variances, the plans would have to delete the garages. Thus, one less parking spot for each unit.
2. Design and size of the units do not fit with the neighborhood; we currently do not have housing in our backyards, as proposed by Block 2.
3. Parking - This build has parking for 1 car in the driveway and 1 in the garage. Almost every house has at least 2 cars and the majority of homes DO NOT park a car in the garage, as the garage is used for storage. This means that the second (and in some homes, third vehicle) will have to park on the street. The plans show that there may be basement units that could be rented, that would make 8 units, so up to 16-20 vehicles total; this will add even more vehicles to this issue. And this build has no plan for visitor parking. We currently have an issue with cars parking on the street (see photo attached).
4. Safety - I have already had an issue with pulling out of the driveway at 87 Louth St. I was

almost hit since I was unable to see down the street for oncoming traffic due to the cars and trucks parked on that side of the street. I have to get out of my car to check for traffic before I can pull onto Louth St. This is not acceptable for anyone living on the west side of Louth St.

5. Garbage - This build has no plans for a garbage bin for the 6 units. I don't think a garbage truck will be able to use the private road, as it will not be able to turn around. This means that all 6 units will be putting their 12 bags of garbage (and bags and boxes of recycling) on Louth St. That will be a sight to see from my front porch swing!

6. Snow removal - With this many cars on the street, there will be an inefficient removal of snow from Louth Street, causing more issues with parking due to snow drifts and uncleaned sections of the street.

7. Example 89 Louth St - The city allowed this build; 2 units, 6 bedrooms. This has become a rental property (each room has been rented to one person) and this has resulted in 7 vehicles for this one address, with only 2 parking spots in the driveway. Everyday they park 5 vehicles on Louth Street.

I am requesting that this build be NOT allowed due to the above reasons.

Sincerely,

Dr Daniel Perossa

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April 21, 2021

Attention: Committee of Adjustment
Elaine Munro; Secretary-Treasurer

Re: 83 Louth Street Proposal

Good morning,

My name is Joe Cosby and I am resident of St. Catharines at 72 Louth Street. I am also a real estate investor and Realtor out of McGarr Realty.

As an investor, I am well aware of the housing crunch St. Catharine's is in at the moment. I am also aware of the City's housing and growth target for infill and new dwellings.

In the case of 83 Louth, I am 100% against this development. I will detail my concerns below:

Planning Act Test for Minor Variance:

1. Is the Variance Minor?

Currently there are multiple minor variance requests, particularly impacting the Block One proposal, that sits facing south, with the length of the townhomes running North / South along Louth Street.

Block One - There are 3 Minor variance requests specific to Block One:

- .2 Meters Landscape Buffer for parking area 5 – 20 spaces
- 1 meter sideyard set back
- 1 Meter distance from Private Road
- Total of 2.2 meters or 7.21 Feet

The Quartek Group have implied that the Variances are in fact to allow to fit the private road.

I would argue the variance request is to fit a larger home. With out these variances, the home to built will not make economies of scale. With the elimination of those variances, Block One cannot be built economically. See design plan known as Minor Variance Part 1.

This implies that the Block one build is not compatible. And that the Variance(s) are in fact Not Minor.

Block Two – There are two minor variance's impacting Block two:

Block Two faces East, and is located on the West side of Francis Creek. Francis Creek is still a viable water shed area for birds, frogs and many other insects and animals. The west side of the creek has significant slope, and the eventual build will be a massive build, with extreme height.

- 1 Meter Interior sideyard reduction, from 5 meters to 4 meters, both South side and North side
- Total of 2 meters or 6.56 Feet

This variance has a massive impact on the surrounding homes and will significantly impact the immediate neighbours.

The Elevation of the property, factored in with exposed foundation height and total height to the Peak of the home will dramatically alter the nature of the land and surrounding homes.

The elimination of the Variances that impact Block One and Block two, essentially eliminate the sale value of the development.

If the development cannot proceed with out the variances, then those Variances are NOT Minor!

2. Granting of Variance to Develop / Desirable - Appropriate for the land or building.

In the event the developer is denied the variances, the project will not go forward. It is clear the impact of these large homes on this lot will drastically affect the immediate neighbours, plus have significant impact on ground water / flood issues.

The build that is suggested, covers a significant percentage of current green space. The Overall height and density is not common to the neighbourhood.

Existing Housing in the immediate area are a majority, detached single family, sitting with appropriate property / house spacing and low density.

3. Does the variance(s) requested maintain the general intent of, and purpose of the zoning by-law?

* Neighbour privacy / Home spacing / Density / Light / Air flow.

The thought process here must relate to precedent and future build requests. If one is granted, the rest of these homes near by, might be before this Committee in the Future.

Any consideration to these variance requests, must be done with an Eye to future requests for the exact same project. If this is the case, then considerable thought must be applied to this decision. And in this case, the future impact of additional builds must be factored in. The impact on the creek and future surface water issues are important. The current build design includes a culvert to channel Francis creek water through. It could be foreseen that the rear yards along this section of Louth having several different culverts, rather than one continuous storm sewer type of infrastructure (home #'s 65 / 69 / 73 / 77 / 81 all have .21 hectares)

In theory, granting this build could see 2-3 future projects side by side.

Re: 83 Louth Street

4. Does the proposal maintain the general intent of the and purpose of the official plan?

The current proposal has a Hectare density of 28.5 Units, within the range up to 32, but bumping up against suitability, and as noted, 6 units on this property.

With my experience in local Infill and Real Estate, it is clear to me that the End Units of these Townhomes will be retrofitted to contain an Accessory Unit. In this case the density jumps considerably :

- from 28.5 per hectare to 47 Units per hectare

* $28.5 \times .21 = 5.95$ units or 6

* $47.0 \times .21 = 9.81$ Units or 10

This level of intensification is a disaster waiting to happen. The massive impact of onsite and offsite parking will severely impact the neighbouring homes, with limited, street parking. This development makes no consideration for Visitor parking as well. Louth Street is a main artery and busy, with significant speed a factor. Increased street parking will be a liability.

Garbage disposal is a huge Issue. More importantly and rarely mentioned, is the ability for Fire and Paramedics to quickly respond to any issues in the Block Two build.

Re: 83 Louth Street

It is clear to me, with my knowledge of the local market, the ideal build for this property is 4 units across the frontage. The Four units will not impact the natural creek running through the middle of the property, and would continue the Park like setting that is this section of Louth Street.

This could be a semi and a semi, or 4 Towns.... total of 4 units. In fact the neighbourhood residents would not actually have an issue with that infill possibility.

I truly believe the spirit of the Official Plan and Sub categories reflect the 4 unit build rather than 6 units. Semi's are also a common build with in the area, and would compliment the street scape.

Thank you.....

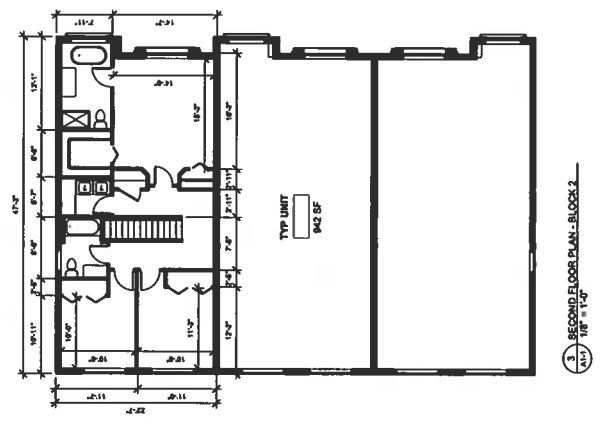
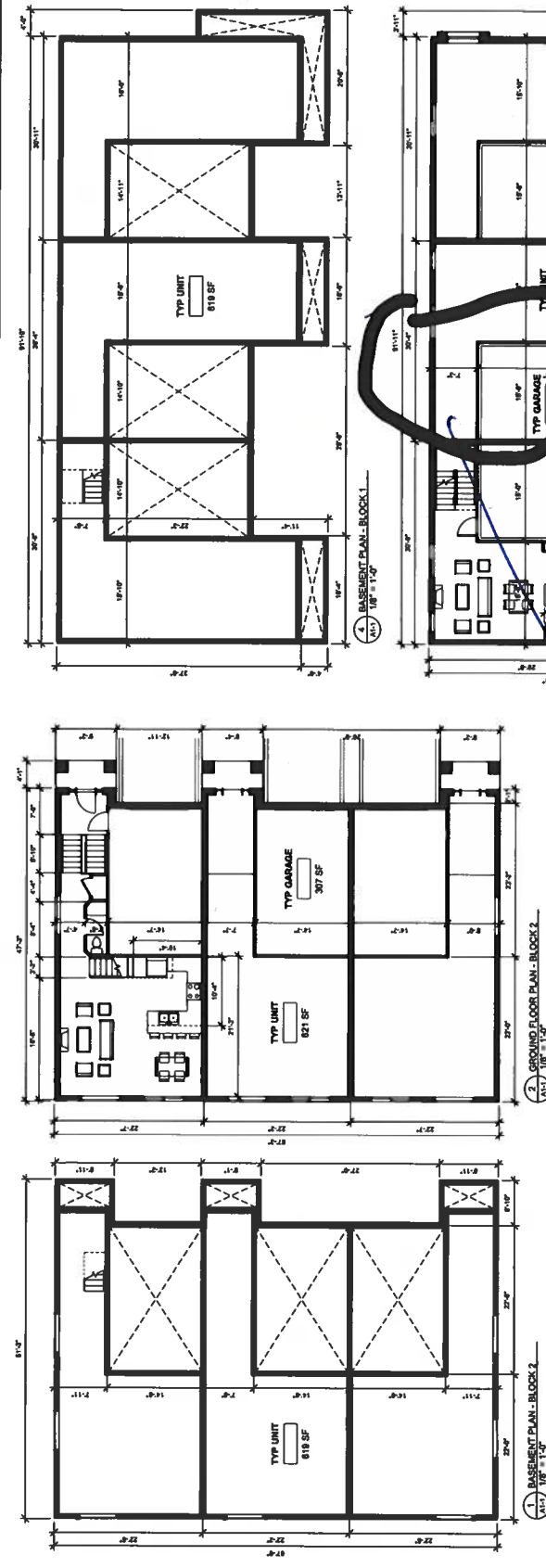


Joe Cosby

72 Louth Street

St. Catharines

Model Variance Pt. 1



7.3 feet
= EXACT
VARIANCE
REQUEST

NOT FOR
CONSTRUCTION

Quartek
Architectural & Engineering
10000 1st Avenue, Suite 100
San Diego, CA 92121
Tel: 619-594-1000
Fax: 619-594-1001
www.quartek.com

83 SOUTH TOWNHOMES
83 SOUTH STREET ST. CATHERINE, ON
Project No.

FLOOR PLANS

Drawn by	NY
Check by	NY
Date	01 OCT 2005
Project No.	20000
Sheet No.	B



83 LOUTH
IN BLUE

PARK LIKE YARDS
CREEK IS IN CENTER



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: A-31/21

File No: 20 102283 MV

Subject: 83 Louth Street

Recommendation

That Application **A-31/21** by 1814116 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Report The Proposal

Application A-31/21 seeks relief from the City of St. Catharines Zoning By-law 2013-283, as amended, for the following variances to facilitate the construction of a 6-unit private road development comprised of two blocks of three townhouses:

Variance	Provision	Required	Proposed
1	Minimum Landscape Buffer along a Parking Area containing 5 to 20 spaces	3 metres	2.8 metres
2	Minimum Interior Side Yard Setback from an End Wall (Block 2)	5 metres	4 metres
3	Minimum Interior Side Yard Setback from a Rear Wall (Block 1)	7.5 metres	6.5 metres
4	Minimum Distance from a Private Road to a Dwelling (Block 1)	3 metres	2 metres

Location and Site Description

The subject property is located on the west side of Louth Street, south of Rykert Street. The property is surrounded by residential dwellings in all directions.

Circulation of Application

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

Site Plan Approval

This development is subject to the Site Plan Approval process. An application for Site Plan Approval is currently under review by staff. Site Plan Control is one of the City's primary tools for implementing City and agency development standards and urban design guidelines. It addresses matters related to architectural elevations, access, parking, site servicing, grading, drainage, lighting, landscaping, fencing, storage of waste and other details of site design. Once the applicant has met City approval of these standards, a Site Plan Agreement is registered on the title of the lands.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7 thereof. The designation allows a variety of low-density residential uses including townhouses at a density of 20 to 32 units per hectare. The proposed private road development contains 6 townhouse units at a density of 29.6 units per hectare, and is in keeping with the target density in the Official Plan.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1) which permits a variety of low-density residential uses, including townhouse dwellings, subject to the provisions of the Zoning By-law.

Planning Analysis

Variance 1 – Landscape Buffer along a Parking Area of 5 to 20 Spaces

Variance 1 requests a reduction in a landscape buffer along a parking area of 5 to 20 spaces from 3 metres to 2.8 metres. The landscape buffer requirement applies to the entirety of the paved private road providing access to the parking provided in the proposal.

The 0.2 metre reduction is considered minor in nature. It has been demonstrated that the proposed 2.8 metre landscape buffer is able to support landscaping that is sufficient in height and density to buffer the parking area from the lands to the south. The reduction in landscape buffer width does not compromise the site drainage, and no negative impacts are anticipated as a result of the requested reduction. Staff are supportive of Variance 1.

Variances 2 and 3 – Interior Side Yard Setbacks

Variance 2 requests a reduction of both the north and south interior side yards to the end walls of Block 2 from 5 metres to 4 metres. Variance 3 requests a reduction of the northerly side yard to the rear wall of Block 2 from 7.5 metres to 6.5 metres.

The 1 metre reduction in both cases is considered to be minor in nature. The applicant has satisfied the City that the reductions will not compromise the grading and drainage of the site. Access to the sides and rear of the proposed Block 2 is adequately maintained. There are no privacy or overlook concerns caused or exacerbated by the 1

metre reduction in side yards. Adequate amenity space is maintained across the development. Staff have no concerns with the requested reductions in side yards.

Variance 4 – Minimum Distance from a Private Road to a Dwelling (Block 1)

Variance 4 requests a reduction in the minimum distance from the proposed internal private road to the dwellings of Block 1 from 3 metres to 2 metres. The 2 metre setback represents a pinch point where the private road bends around the westernmost unit of Block 1. The other units maintain a 2.5 metre setback from the private road.

The purpose of the setback is, in part, to allow for landscaping and prevent paving and building to overwhelm a site. The proposed setbacks to the dwellings of Block 1 still allow for sod and some larger plantings to be provided along the internal site building façade. The reduction of this setback allows the landscaping along the southerly lot line to be maximized within the current layout. The layout is considered appropriate for the use of the land. There are no negative impacts anticipated as a result of the 1 metre reduction, and it is considered to be minor in nature. Staff are supportive of Variance 4.

Conclusion

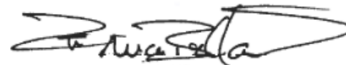
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application A-31/21 is in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, and desirable for the appropriate use of the lands. Staff recommend that the application be approved.

Prepared and Submitted by:



Charlotte McEwan M.C.I.P., R.P.P.
Planner I

Approved by:



Bruce Bellows
Senior Planner

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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

Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

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



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
Cc: City Committee of Adjustment Staff Members
From: Brad Johnston, C.E.T., Development Engineering Technologist
Date: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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-06/21SC, B-07/21SC, A-32/21
& A-33/21**

92 Louth Street

**DATE OF HEARING:
April 28, 2021**

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Amanda No. 21102377, 21102380, 21102372, 21102374- 92A and 92B Louth Street
Date: Wednesday, April 21, 2021 11:34:43 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



From: Dan Perossa <>

Sent: Wednesday, April 21, 2021 11:14 AM

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

Subject: Amanda No. 21102377, 21102380, 21102372, 21102374- 92A and 92B Louth Street

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

Hello,

I am writing to comment on - 92 A and 92B Louth Street, St Catharines.

I live at 88 Louth St, St. Catharines, ON L2S 2T4

My complaints are the following:

1. Variances - This plan requires 5 variances in order to squeeze this build into a small lot. The request to reduce minimum lot frontage for 92A from 16.5m to 9.9m is a 40% reduction in size...not quite minor. This would impact the look of the houses on our street. The easement of 101m² of land for ingress and egress to a backyard parking lot. This would serve as a private road to their backyards. We currently do not have any backyard parking in this neighborhood, and the noise and smell of exhaust fumes in our backyards would impact the privacy and enjoyment of our properties. 92B – request for an increase of interior floor area from 40-50% would probably mean there will be another rental unit at this address; this will add to the parking issues outlined in 2 below.

2. Parking - We currently have an issue with cars parking on the street (see photo attached). If the proposed new build at 92A has a basement unit to be rented, as is possible with the side basement access with covered landing, then the extra vehicles will all park on the street. This will also increase if the 83 Louth Street build of 6 units passes.

3. Safety - I have already had an issue with pulling out of the driveway at 87 Louth St. I was almost hit since I was unable to see down the street for oncoming traffic due to the cars and trucks parked on that side of the street. I have to get out of my car to check for traffic before I

can pull onto Louth St. This is not acceptable for anyone living on the west side of Louth St.

4. Snow removal - With this many cars on the street, there will be an inefficient removal of snow from Louth Street, causing more issues with parking due to snow drifts and uncleaned sections of the street.

5. Example 89 Louth St - The city allowed this build; 2 units, 6 bedrooms. This has become a rental property (each room has been rented to one person) and this has resulted in 7 vehicles for this one address, with only 2 parking spots in the driveway. Every day they park 5 vehicles on Louth Street.

I am requesting that this build be NOT allowed due to the above reasons.

Sincerely,

Dr Daniel Perossa

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





CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: April 23, 2021

Date of Meeting: April 28, 2021

Report Number: B-06/21SC
B-07/21SC
A-32/21
A-33/21

File: 21 102372
21 102374
21 102377
21 102380

Subject: 92 Louth Street
92A Louth Street

Recommendation Consent

That the consent to sever in Application **B-06/21SC** by Cameo Homes Niagara Limited, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands, addressing the following conditions:
 - a. That building permit plans, including a site plan and elevations for the new lot be submitted to the Director of Planning and Building Services, or designate, illustrating substantial compliance with submitted plans.
 - b. The Lot Grading and Drainage Plan, a condition of the consent, be included in the Development Agreement to ensure compliance for building permit purposes.
2. That the Owner have the Lot Grading & Drainage Plan prepared by a Professional Engineer or OLS, and submitted to the City for review and approval.
3. That the Owner pay the fee for City crews to locate, trace, inspect and document the sewer and water services to the existing dwelling.
4. That, if it is determined the existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only Permit and pay to the City the fees required to install new water and sewer services from the City mains to the individual front property lines in order for each lot to be serviced independently.
5. The existing detached garage is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
6. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the Ontario Building Code as applicable.

7. 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 the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.
8. 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 dedicate a road widening to the Regional Municipality of Niagara along the frontage of Regional Road 72 (Louth Street) prior to the issuance of a building permit, to the satisfaction of the Niagara Region Planning & Development Services Department. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.
10. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
11. That final approval of the concurrent Minor Variance applications be granted.
12. That all conditions of consent be fulfilled by April 28, 2022.

That the consent for an easement over Part 2 in Application **B-06/21SC** by Cameo Homes Niagara Limited, be approved as shown on the revised sketch, subject to the following conditions:

1. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
2. That final approval of the concurrent Minor Variance applications be granted.
3. That all conditions of consent be fulfilled by April 28, 2022.

That Application **B-07/21SC** by Cameo Homes Niagara Limited, as outlined in the Notice of Hearing, be approved as shown on the revised sketch, subject to the following conditions:

1. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
2. That final approval of the concurrent Minor Variance applications be granted.
3. That all conditions of consent be fulfilled by April 28, 2022.

Minor Variance

That Variances 1 and 3 of Application **A-32/21** by Cameo Homes Niagara Limited, as outlined in the respective Notice of Hearing, be approved.

That Variance 2 of Application **A-32/21** by Cameo Homes Niagara Limited, as outlined in the respective Notice of Hearing, be denied as it is not applicable.

That Variance 1 of Application **A-33/21** by Cameo Homes Niagara Limited, as outlined in the respective Notice of Hearing, be approved.

That Variance 2 of Application **A-33/21** by Cameo Homes Niagara Limited, be approved as follows:

An increase in the maximum floor area for an interior accessory dwelling unit from 40% to 44% of the dwelling.

Report The Proposal

The Applicant proposes to sever an existing parcel of land for the purpose of constructing a new detached dwelling. An existing detached dwelling is to be retained for continued residential use, with the addition of a proposed accessory dwelling unit. Both the proposed severed and retained lots meet the lot area requirements of the Zoning By-law for detached dwellings. Variances are required for a number of zoning provisions that are not met by the proposal. The requested severance and variances are described in the tables below.

Application	Severed Parcel	Severed Area	Easement Area	Retained Parcel	Retained Area
B-06/21SC	Parts 3 & 4 (92A Louth Street)	502 m ²	102 m ² (Part 3) (revised to 69.6 m ²)	Parts 1 and 2 (92B Louth Street)	513 m ²
B-07/21SC	Part 2	n/a	102 m ² (revised to 65.6 m ²)	n/a	n/a

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

Application	Variance #	Zoning Provision	Required	Proposed
A-32/21 92A Louth Street (Parts 3 and 4)	1	Minimum Lot Frontage	16.5 metres	9.9 metres
	2	Maximum Front Yard Setback	8.5 metres*	9 metres
	3	Maximum Paved Area	20% of lot area	21% of total lot area
A-33/21 92B Louth Street (Parts 1 and 2)	1	Minimum Lot Frontage	16.5 metres	10.2 metres
	2	Maximum Floor Area for an Interior	40% of the floor area of the dwelling	50% of the floor area of the dwelling

		Accessory Dwelling Unit	or 60m ² , whichever is less	(revised to 44%)
--	--	-------------------------	---	------------------

Location and Site Description

The subject properties are located on the east side of Louth Street, north of Pelham Road. The properties are surrounded by detached dwellings to the north, west and south, and green space (West Park) to the east. There is an existing detached dwelling on the property. The building is proposed to be retained.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7 thereof. Detached dwellings are permitted in this designation, as well as a dwelling unit accessory to a detached dwelling.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are permitted in this zone, as well as a dwelling unit accessory to a detached dwelling.

Planning Analysis

Consent

Consent Application **B-06/21SC** requests to sever 502 m² of land (Parts 3 & 4 on the submitted sketch) for a proposed detached dwelling, subject to an easement (Part 3) for access to benefit the northerly abutting lot (Parts 1 & 2). A 513 m² remnant parcel (Parts 1 & 2) with the existing detached dwelling is to be retained for continued residential use. Consent Application **B-07/21SC** requests to establish an easement (Part 2) for access to benefit the southerly abutting lot (Parts 3 & 4). The consents are requested to facilitate the creation of a new vacant lot for the purpose of constructing a detached dwelling, and establishing a shared driveway for the new lot and the retained dwelling.

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 proposed lots are of sufficient size and appropriate shape to accommodate adequate setbacks, parking, amenity space and building area for each of the proposed lots.

The requested easements allow for a shared driveway to access parking spaces in the rear yard, which minimizes paving and accesses along Louth Street. It should be noted that the submitted sketch shows parking spaces that encroach into the proposed easements. The applicant has prepared a revised sketch altering the easements to ensure parking is not encroaching into the proposed easements. The easements are supported as revised on the attached sketch.

Overall, staff are supportive of Consent Applications **B-06/21SC** and **B-07/21SC** subject to the conditions outlined in the recommendation.

Minor Variances

Reductions in Lot Frontage

Variance 1 of Application **A-32/21** and Variance 1 of Application **A-33/21** each request a reduction in lot frontage. The proposed lot has a frontage of 9.9 metres, and the retained lot has a frontage of 10.2 metres.

The minimum required lot frontage is 16.5 metres in the R1 zone. The proposed reduction in lot frontages are considered to be minor in nature. The intent of the minimum lot frontage is to ensure adequate building spacing, lot area, driveway access and consistent character of development in the area. In this case, the shared driveway reduces the visual impact of the narrower lots on the streetscape, as pavement is minimized. The buildings have adequate spacing on either side, and the proposed lot areas are in keeping with the zoning requirements for the R1 zone.

Overall, the reductions in lot frontage for each lot are not anticipated to have any negative impacts on the surrounding lands and are considered appropriate for the proposed uses.

Increase in Front Yard Setback (Parts 3 & 4)

Variance 2 of Application **A-32/21** requests an increase in the required maximum front yard setback from 8.5 metres to 9 metres. The variance was requested based on the application of a provision of the by-law that applies the average setback of adjacent dwellings to determine the required setback for the proposed dwelling. However, upon further review, this averaging provision is not applicable to the subject lands, and the standard minimum setback requirement (6 metres) applies. This variance is not required, and staff recommend it be denied.

Increase in Maximum Paved Area (Parts 3 & 4)

Variance 3 of Application **A-32/21** requests an increase in the maximum paved area from 20% to 21% of lot coverage. The 1% increase represents approximately 5 m² of pavement. The requested increase is considered minor in nature, and there are no negative impacts anticipated as a result of the requested variance. The increase will not impact the streetscape, and it is unlikely that drainage will be impacted by the increase. The applicant will be required to prepare a grading and drainage plan that meets the approval of the City Engineer prior to obtaining a building permit.

Increase in Floor Area of an Interior Accessory Unit (Parts 1 & 2)

Variance 2 of Application **A-33/21** requests an increase in floor area for an interior accessory dwelling unit from 40% to 50% of the overall floor area of the dwelling. Since the notice was circulated, the applicant has provided updated information demonstrating that the accessory unit will comprise only 44% of the floor area of the dwelling. A requested 4% increase in area represents approximately 4.5m² in floor area.

The increase is considered minor in nature. There will be no significant impact on the subject property and surrounding neighbourhood as a result of the increase in floor area. The intent of the maximum floor area for accessory dwelling units is, in part, to ensure that accessory units remain subordinate and secondary to the primary dwelling unit on the property. Staff are of the opinion that the basement unit remains subordinate and secondary to the primary ground floor unit in size and proportion of the building. Staff are in support of this variance to a maximum of 44%.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-06/21SC** and **B-06/21SC** meet the intent 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 be approved, subject to the conditions outlined in the recommendation.

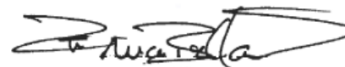
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance applications **A-32/21** and **A-33/21**, save and except Variance 2 of Application **A-32/21**, as outlined in the recommendation, are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and function of the lands. Staff recommend that the applications be approved, as outlined in the recommendation. Variance 2 of Application **A-32/21** is not applicable to the proposed development and should be denied.

Prepared and Submitted by:



Charlotte McEwan M.C.I.P., R.P.P.
Planner I

Approved by:



Bruce Bellows
Senior Planner

VIA E-MAIL ONLY

April 15, 2021

Elaine Munro
Committee Secretary and Planning Technician
City of St. Catharines
50 Church Street
P.O. Box 3012
St. Catharines, ON L2R 7C2

Application for Consent

Proposal: To sever the lands known as 92 Louth Street into 4 parts for the creation of a new dwelling and a laneway with easements for ingress and egress.

Location: 92 Louth Street
In the City of St. Catharines

Our File: CS-21-0024

Regional Planning and Development Services staff have completed a review of the following materials which were provided as part of an application for a consent application for a severance located at 92 Louth Street in the City of St. Catharines:

- Notice of Hearing and Application, dated April 06, 2021.

The following comments are provided from a Regional and Provincial perspective to assist in reviewing the Consent Application.

Regional Permit Requirements

Currently on the plans it is showing that a new driveway is proposed on Louth Street. The existing driveway will need to be removed and reinstated with curbing and boulevard. Please note that prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Regional Road Allowance

The subject property has frontage along Regional Road 72 (Louth Street). This section of road has a substandard road allowance. Therefore, the applicant is required to gratuitously grant the following widening to the Region:

- A 3.0m widening to match what has previously been taken on the property to the south and others on that side of the road. Due to part 1 being assumed as the remnant parcel this widening will only be required for parts 2, 3 and 4 of this proposal..

The requested widening is to be conveyed free and clear of any mortgages, liens or other encumbrances, and is to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Norma Price, Law Clerk, 905-980-6000 extension 3339.

E-mail: norma.price@niagararegion.ca

(Inquiries -specific to the transfer of property to the Region)

Normans Taurins, Manager, Surveys & Property Information, 905-980-6000 extension 3325,

E-mail: normans.taurins@niagararegion.ca

Protection of Survey Evidence

Survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. Any agreements entered into for this development should include a clause that requires the applicant to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

Conclusion

Based on the analysis and comments above, Regional staff offers no objection to the application, subject to the applicant providing the Region with the required road widening an applying to the applicable permits.

If you have any questions or wish to discuss these comments please contact the undersigned at extension 3345, or Susan Dunsmore, Manager Development Engineering, at extension 3661.

Best Regards,



Matteo Ramundo
Development Approvals Technician
Niagara Region

Attention: Appendix- Regional Conditions for Site Plan Approval

cc. Susan Dunsmore, Manager, Development Engineer, Niagara Region

APPENDIX I
Consent Conditions
92 Louth Street, St.Catharines

- That the owner dedicate a road widening to the Regional Municipality of Niagara along the frontage of Regional Road 72 (Louth Street) prior to the issuance of a building permit, to the satisfaction of the Niagara Region Planning & Development Services Department. All costs for providing the necessary survey plan and all related documents are the responsibility of the applicant.

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Bell - No Concerns - 92 Louth Street - 905-21-157
Date: Monday, April 12, 2021 9:57:07 AM

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

From: Gordon, Carrie <carrie.gordon@bell.ca>
Sent: Monday, April 12, 2021 9:22 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: Notices of Hearing for April 28, 2021 CofA Hearing - 905-21-157

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CORRECTION

Bell Canada's engineering department have determined that there are no concerns or issues with the severance.

Carrie Gordon



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

From: Gordon, Carrie
Sent: Monday, April 12, 2021 9:20 AM
To: 'Munro, Elaine' <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: RE: Notices of Hearing for April 28, 2021 CofA Hearing - 905-21-157

Dear Elaine,

Re: B-06-21SC

Subsequent to review of the severance at 92 LOUTH STREET, Bell Canada's engineering department have determined that there are no concerns or issues with the sale of these lands. We would like to

request that the applicant use caution when developing the driveway for these homes as there is buried cable and aerial facilities found within the right of way as identified on the attached sketch.

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

Best regards,

Carrie Gordon



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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Cogeco - No Concerns -: Notices of Hearing for April 28, 2021 CofA Hearing
Date: Wednesday, April 7, 2021 9:20:23 AM

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Hi Elaine

Yes it was a great weekend and I hope you had a wonderful one too
Cogeco has no concerns with these applications.

Thanks

Doug Crown

Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – April 28, 2021 hearing

B-11/21SC – 45 Canterbury Drive

Comment:

- No comment

Condition:

- No comment

B-12/21SC – 47 Canterbury Drive

Comment:

- No comment

Condition:

- No comment

B-06/21SC – 92 Louth Street

Comment:

- Be advised that a building permit is required for the proposed detached dwelling on Parts 3 and 4.

Condition:

- The existing detached garage is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed

building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-07/21SC – 92B Louth Street

Comment:

- No comment

Condition:

- No comment

B-08/21SC – 121 Moffatt Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling.

Condition:

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

B-09/21SC – 121 Moffatt Street

Comment:

- Be advised that a building permit is required for the proposed semi-detached dwelling.

Condition:

- The existing detached dwelling is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- The existing pool is to be removed. A demolition permit is required and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines.
- A demolition permit is required to remove the two sheds and shall be completed to the satisfaction of the chief Building Official of the City of St. Catharines. Note, the two sheds may be relocated, however shall conform to the current zoning bylaw.



Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

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

Cc: Wilrik Banda
Planning and Building Services

From: Lou Grossi, Building Inspector II
Planning and Building Services

Date: April 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – April 28, 2021 hearing

NO.	ADDRESS	COMMENTS
A-25/21	447 Geneva Street	Be advised that a building permit is required for the proposed building.
A-26/21	150 Glendale Ave	Be advised that a demolition permit is required to remove the existing church. Be advised that a building permit is required for the proposed dwellings.
A-27/21	12A Meredith Drive	Be advised that a building permit is required for the proposed accessory dwelling.
A-28/21	159 Beech Street	Be advised that the current building permit is required for the proposed duplex and rear exterior stair.
A-29/21	1520 Fifth Street Louth	Be advised that a building permit is required for the proposed barn.
A-30/21	340A Lakeshore Road	Be advised that a building permit is required for the proposed three silos with truck scales and dust collector.

NO.	ADDRESS	COMMENTS
A-31/21	83 Louth Street	<p>Be advised that a demolition permit is required to remove the existing dwelling.</p> <p>Be advised that a building permit is required for the proposed townhouse blocks.</p>
A-32/21	92A Louth Street	Be advised that a building permit is required for the proposed detached dwelling.
A-33/21	92B Louth Street	Be advised that a building permit is required for the proposed interior alterations to existing dwelling to create an accessory dwelling and for the proposed exterior front and rear decks.

Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II



Memorandum

To: Elaine Munro, Planning and Building Services
CC:
From: Jessica Button, Community, Recreation and Culture Services
Date: April 13, 2021, 2021
Subject: Committee of Adjustment Hearing – April, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of April 28, 2021 and provides the following comments.

150 Glendale Avenue, Minor Variance, A-26/21 – 21102239

Landscaping, fencing and site design will be addressed through the site plan agreement.

83 Louth Street, Minor Variance, A-31/21 – 21102283

Landscaping, fencing and site design will be addressed through the site plan agreement.

92 Louth Street, Consent, B-06/21SC – 21102372

92B Louth Street, Consent, B-07/21SC – 21102374

92A Louth Street, Minor Variance, A-32/21 – 21102377

92B Louth Street, Minor Variance, A-33/21 – 21102380

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

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.

121 Moffatt Street, Consent, B-08/21SC – 21102393

121 Moffatt Street, Consent, B-09/21SC – 21102406

If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance: That payment of 5% of the appraised value of the new lot (Part 1) 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 the 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.

As a new lot is being created, CRCS request that the following be included as a condition of severance:

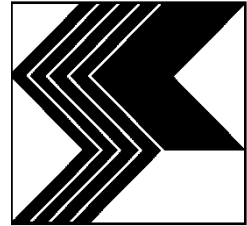
That the applicant submit a payment for the placement of a 60mm boulevard tree, in accordance with the City's current Schedule of Rates and Fees.

The owner shall implement the recommendations from the tree assessment by "Andrews Tree and Shrub Care" dated March 30, 2021 including the preservation of the City boulevard tree with tree protection fencing for the duration of servicing and construction.

No comments on the remaining applications.

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

REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-06&07-/21SC



April 14th, 2021

ENGINEERING FILE 300-36

Hearing Date: April 28th, 2021

Applicant: Cameo Homes Niagara Limited

Location: 92 Louth Street

LINEAR MUNICIPAL SERVICES

The following municipal services are available on Louth Street.

Watermain: 200mm P.V.C.

Sanitary Sewer: 250mm Conc.

Storm Sewer: 300mm Conc.

ROADS

Louth Street is designated as a Regional Arterial Road (RR#72) in the City's Official Plan. Regional staff will comment on any widening that may be required on Louth Street.

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

Comment(s):

Sidewalks and curbs exist at this location on Louth Street. A sidewalk damage deposit will be taken at the building permit stage. The owner will also be required to pay for any curb cut and/or curb fills at the building permit stage.

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision occasionally do not have suitable drainage outlets in place. The City must ensure that prior to the lots being created grading and drainage can adequately be conveyed to a suitable secured outlet and not adversely affect any abutting properties. Therefore, as a condition of severance, an individual lot grading and drainage plan shall be submitted to and approved by City staff.

This plan must be prepared by a Professional Engineer or Ontario Land Surveyor. Buildings shall be designed and/or modified to ensure roof water flows will be discharged to the front yards only. The location of the roof water downspouts shall be shown on the plan. If side entrances are proposed with hard surface landings and/or walkways, drainage must be accommodated. The proposed servicing for the lots (new and existing) must also be shown on the plan.

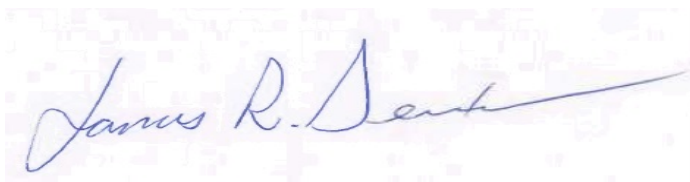
Sump pump flows are typically discharged to grade when opportunities do not exist to connect to a storm sewer in the road allowance. However, since a storm sewer does exist at this location on Louth Street, sump pump outlet pipes shall be required to discharge to the front yard only, through the front foundation wall

and be connected to a new storm lateral to be installed at the owner's expense. This information shall be identified on the grading and drainage plan, along with the locations and direction of discharge for all downspouts.

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

Condition(s): Prior to final certification of the severance application the owner must,

- Have the Lot Grading & Drainage Plan prepared by a Professional Engineer or OLS, and submitted to the City for review and approval,
- Pay the fee for City crews to locate, trace, inspect and document the sewer and water services to the existing dwelling,
- If it is determined the existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only Permit and pay to the City the fees required to install new water and sewer services from the City mains to the individual front property lines in order for each lot to be serviced independently.



Prepared By:

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: April 14, 2021
Hearing Date: April 28, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
447 Geneva Street, A-25/21SC
150 Glendale Avenue, A-26/21SC
12A Meredith Drive, A-27/21SC
159 Beech Street, A-28/21SC
1520 Fifth Street Louth, A-29/21SC
340A Lakeshore Road, A-30/21SC
83 Louth Street, A-31/21SC
92A & B Louth Street, A-32&33/21SC

Development Engineering have reviewed the above applications and have no comments or objections other than the following:

- The applicants must be advised that a Grading Plan may be a requirement for the above applications that will be subject to a Building Permit;
 - 447 Geneva Street
 - 1520 Fifth Street Louth
 - 92A&B Louth Street

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: April 7, 2021

Subject: Committee of Adjustment
Public Hearings – April 28, 2021
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