

Agenda

Wednesday, August 25, 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 August 23, 2021 before 3:00 p.m. Comments submitted will be considered as public information and entered into public record.

Members:

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

Regrets: Greg Redden, Chair

Staff Liaison:

Elaine Munro, Secretary-Treasurer
Wilrik Banda, Assistant Secretary-Treasurer
Natasha MacDonald, Planner
Taya Devlin, Planner
Charlotte McEwan, Planner
Margaret Josipovic, Planning Manager

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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 – July 28, 2021**
 6. **Declarations of Interest**

7. **Request for Adjournment**

Item No. 2 - 47 Hastings Street, Minor Variance, A-58/21 – 21105118

With the support of the Owner and Agent, Staff have requested that Minor Variance, A-58/21 be deferred to the next Hearing on September 22, 2021 as an additional minor variance is required for the garbage storage area and to remove variance #9 as it is not required.

8. **Applications**

1. 109 Martindale Road, Minor Variance, A-59/19 – 19103874

3. 31 Brock Street, Minor Variance, A-65/21 – 21114335

4. 99 Dieppe Road, Consent, B-20/21SC – 21114738

99 Dieppe Road, Minor Variance, A-76/21 – 21115336

5. 403 Vine Street, Minor Variance, A-66/21 – 21114373

6. 4 Ameer Drive, Minor Variance, A-67/21 – 21114384

7. 15 Lora Street, Minor Variance, A-69/21 – 2114653

8. 3 Gavin Drive, Minor Variance, A-70/21 – 21114657

9. 35 Niagara Street, Minor Variance, A-71/21 – 21114672

10. 14 Gordon Place, Minor Variance, A-73/21 – 21114681

11. 494 Vine Street, Consent, B-21/21SC – 21114767

494ne Street, Minor Variance, A-74/21 – 21114770

12. 48 Garnet Street, Minor Variance, A-75/21 – 21114730

9. **New Business**

10. **Date of next meeting**

Wednesday September 22, 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

A-59/19

109 Martindale Road

DATE OF HEARING:
August 25, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-59/19

File: 19103874

Subject: 109 Martindale Road

Recommendation

That Application **A-59/19** by Avondale Stores Limited, as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant seeks relief from the City of St. Catharines' Zoning By-law 2013-283 for the construction of a proposed second storey addition to accommodate 4 apartment units above the existing commercial building requiring:

1. Permission to extend the legal non-conforming use to permit a parking area for commercial uses to continue on a portion of the site currently zoned Low Density Residential (R1); and
2. For the following variances:

Variance	Provision	Required	Proposed
1	A reduction of the minimum yard abutting a residential zone	7.5 metres	3.64 metres
2	A reduction of the minimum exterior side yard setback (Martindale Road)	3 metres	0 metres
3	A reduction of the minimum landscape buffer abutting a Residential Zone (west)	3 metres	0 metres
4	A reduction of the minimum landscape buffer abutting a Residential Zone (south)	3 metres	1.2 metres
5	A reduction of the minimum landscape buffer between a parking area with 5 to 20 spaces and a lot line abutting a Residential Zone (west)	3 metres	0 metres

6	A reduction of the minimum landscape buffer between a parking area with 5 to 20 spaces and a lot line abutting a Residential Zone (south)	3 metres	1.2 metres
7	A reduction of the minimum landscape buffer between a parking area with 5 to 20 spaces and a lot line abutting a public road (Martindale Road)	3 metres	0.61 metres

The location of each variance requested is identified on the attached sketch to the application. Staff are reviewing a concurrent application for Site Plan Amendment for the proposed development.

Location and Site Description

The subject property is located at the southwest corner of Martindale Road and Grapeview Drive. The property is currently occupied by an existing single storey commercial building with two commercial units including a retail store (Avondale) and restaurant (The Upper Crust). The portions of the site not occupied by the existing building footprint are currently paved or gravel and are used to provide parking, with a small portion of landscaping along the Grapeview Drive frontage. The property is surrounded by low density residential to the south and west, with residential and commercial uses to the north and east.

Circulation of Application

The application was circulated to all appropriate departments and agencies. No objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low-density Residential on Schedule E6. Apartments may be permitted on arterial roads in Low-density Residential designations, subject to zoning and neighbourhood commercial uses are permitted as ancillary uses in the Neighbourhood Residential designation. The subject property is located on Martindale Road, which is designated a Regional Arterial. An Official Plan Amendment is not required.

Zoning By-law (2013-283)

The subject property has split zoning as a result of two historic properties (103 and 109 Martindale Road) merging. The northern portion (originally 109 Martindale Road) is zoned Community Commercial (C2) and the southern portion (previously 103 Martindale Road) is zoned Low Density Residential – Suburban Neighbourhood (R1). Commercial uses,

including retail and restaurant, are permitted in the C2 zone. The C2 zone also permits residential apartment units when they are located above commercial uses. The building is located within the portion of the property zoned C2. The Low-density Residential zone (R1) permits a variety of residential uses, but does not permit commercial uses or parking associated with commercial uses. This portion of the site has been legally established as the parking area for the existing commercial uses on site, through past applications, including an existing Site Plan registered on title, showing these lands for parking. As such, the applicant has applied for permission to extend the legal non-conforming use to permit a parking area for commercial uses to continue on a portion of the site currently zoned Low Density Residential (R1).

The applicant is seeking to vary a number of applicable provisions in the Zoning By-law which are outlined and discussed in the Planning Analysis section of this report.

Planning Analysis

Extension of Legal Non-conforming Use

As indicated above, the subject lands have split zoning of Community Commercial (C2) and Low Density Residential (R1). The building is located within the portion zoned C2 and the parking area, located south of the building, is within the R1 zone. The R1 zone does not permit commercial uses or parking associated with commercial uses, however the use of this portion of the site for parking was legally established under a previous Zoning By-law and Site Plan, registered in 1991.

Section 45(2)(a)(i) of the Planning Act gives the Committee of Adjustment the authority to grant the extension of a use which was lawfully established prior to the passing of the current Zoning By-law and that has operated continually to the date the application was made to the committee.

In the Official Plan in Section 16.12.4 Non-Conforming Uses it states that, in special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses provided:

- a) the expansion or enlargement will not jeopardize the possibility of future development/redevelopment in their vicinity that may comply more closely with the intent of this Plan.
- b) special efforts are made to enhance the compatibility of the uses and to improve the amenity and design, more particularly buffering, landscaping, parking, and active transportation and vehicular circulation.
- c) the expansion or enlargement is directed to areas outside natural heritage and natural hazard lands.

Staff note that there are no natural heritage or natural hazard lands on the subject property.

The applicant proposes an addition to the existing building for four apartment dwelling units. No additional parking is required as a result of the proposed addition. As part of the redevelopment of the site, the applicant proposes to reconfigure the parking area and reduce the extent of pavement on site. The extension of this use (parking area) within the portions of the site zoned R1 will not jeopardize the possibility of future development/redevelopment in the vicinity, and in this case is supporting the redevelopment of the site to include four new residential dwelling units. Compatibility is achieved by reducing the paved areas, improving vehicular circulation on site, and introducing landscape buffers, where none currently exist, to reduce the potential impact to surrounding uses. Staff are supportive of the proposed continuation of the parking area.

Staff recommend approval of the extension of a legal non-conforming use (parking area) requested through application **A-59/19**.

Variance 1 and 2 – Building Setback

Variance 1 requests reduction of the yard abutting a residential zone from 7.5 metres to 3.64 metres. The intent of the setback is to provide adequate separation between commercial uses and abutting residential uses, which are more sensitive. The requested 3.64 metre setback is consistent with the setback to the existing single storey commercial building on site and has been requested to permit the second storey addition in line with the existing building.

Variance 2 requests reduction of the exterior side yard setback, along the Martindale Road frontage, from 3 metres to 0 metres. The exterior side yard setback for the existing single storey building is 1.44 metres, however the applicant is required to dedicate a 3.85 metre road widening along Martindale Road through the concurrent Site Plan Amendment. The road widening results in a 0 metre setback between the building and Martindale Road, with part of the building encroaching into the Region's right-of-way. The applicant will also be required to enter into an encroachment agreement through the Site Plan Amendment.

The applicant proposes to construct a second storey addition above the existing building, and to the limits of the existing building footprint. Variances 1 and 2 are requested to apply the existing setbacks for the first storey to the proposed second storey addition.

Section 7.1 of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for 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

The proposed reduction of the setback to adjacent residential uses and exterior side yard does not conflict with the policies of the GCP. The building form and spacing is existing for the current single storey structure on site, and the addition of a second storey is proposed to facilitate residential units, which are a compatible use with the surrounding neighbourhood, which is characterized by predominantly residential dwellings. Along Martindale Road, there are examples of commercial buildings located in close proximity to the street frontage. The existing drive aisle along the western extent of the property separates the building from the adjacent residential property to the west, and the proposed continuation of the existing setback for the second storey addition does not create any concerns with regards to privacy. The intent of the minimum side yard setback provision in the Zoning By-law is generally to ensure that the intention of Section 7.1 of the Official Plan is carried out. The proposed setback reduction is in keeping with the intent and purpose of the Official Plan and Zoning By-law.

The requested variances allow for appropriate expansion of the existing commercial building on site to introduce residential dwelling units above, which is a desirable use of the property. The proposed yard reductions are considered minor in nature. No negative impacts are anticipated as a result of the reductions.

Variances 3, 4, 5, and 6 – Landscape Buffers Abutting a Residential Zone

Variances 3 and 4 request reductions in the required landscape buffer abutting a residential zone from 3 metres to 0 metres along the west property line (Variance 3) and 1.2 metres along the south property line (Variance 4). Variances 5 and 6 request reductions in the required landscape buffer for a parking area with 5 to 20 spaces along a Residential Zone from 3 metres to 0 metres along the west property line (Variance 5) and 1.2 metres along the south property line (Variance 6).

Part D, Section 7.1 c) v) of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site, streetscape, and neighbourhood context sensitive design to ensure the provision of parking areas that do not dominate the site physically or visually and maximize opportunities for perimeter and internal landscaping. The intent of the minimum required landscape buffer along residential zones in the Zoning By-law is, in part, to provide a transition between commercial uses and more sensitive adjacent residential uses, to ensure compatibility of parking areas with more sensitive uses, and to ensure expansive paving is paired with landscaping to visually reduce the impact of parking on those uses.

The reductions along the residential property to the west (Variances 3 and 5) are proposed along the majority of the lot line adjacent to the drive aisle. No parking spaces are provided along this lot line. Although vegetation will be limited along the western lot line, the drive aisle is existing and has less impact on neighbouring lands than a typical

parking area. Vehicle headlights and taillights will not face towards the neighbouring lot, and vehicles will not be parked immediately adjacent to the residential use. The reductions along the residential property to the south (Variances 4 and 6) are proposed for a pinch point associated with each of the angled parking spaces. The current parking area extends to the property line, with no landscape buffer provided along the southern lot line. The revised layout of the existing parking area, results in a landscape buffer along the southern property line that varies in width from 1.2 metres to 4.61 metres at the widest point. The proposal is an improvement to the existing conditions on site and the variances are considered minor in nature. The layout of the parking area is proposed to maximize landscaping along the lot line abutting a residential zone to the south, and improve upon the existing condition of the site to ensure potential impacts to adjacent residential uses are minimized. In this way, the intent of the Zoning By-law is upheld. The reductions are thereby in keeping with the intent of the Official Plan and are desirable for the appropriate development of the site with regards to improving the current site condition and the location of landscaping.

A privacy fence along the west and south property line, to be required through the Site Plan approval process, will assist in visually breaking up the paved area, and the applicants will be required to plant the landscape buffers with appropriate plantings. Staff are supportive of Variances 3, 4, 5 and 6.

Variance 7 – Landscape Buffer Abutting a Public Road (Martindale Road)

Variance 7 requests a reduction of the minimum landscape buffer for a parking area with 5 to 20 parking spaces along a public road (Martindale Road) from 3.0 metres to 0.61 metres. The intent of the provision is to ensure that public streetscapes and the public realm are not overwhelmed by paving and expanses of parking areas. The Official Plan supports development designs that ensure space expansive parking areas are minimized in front of buildings, in favour of greater greening and landscaping initiatives, so that streetscape integrity and pedestrian safety are maintained.

In this case, there is currently no landscape buffer provided along the Martindale Road frontage, and while the request is for a reduction of 2.39 metres, the provision of a 0.61 metre landscape buffer is an improvement from the existing situation. Further, the reduction to 0.61 metres is for a pinch point where the parking space closest to Martindale Road is angled. The proposed reduction will have a negligible impact on the amount and quality of landscaping that can be provided between Martindale Road and the proposed parking area. The intent of the Official Plan and Zoning By-law to adequately separate and screen the street from expansive parking areas is maintained. The reduced landscape buffer helps to accommodate an appropriate number of parking spaces without compromising the streetscape, which is considered desirable for the development of the subject lands. Staff are supportive of Variance 7.

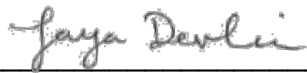
Conclusion

Having regard for the matters under Section 45(2)(a) of the *Planning Act*, Staff are of the opinion that the extension of the legal non-conforming use (parking area) through Application **A-59/19** is consistent with all relevant policies. Staff recommend approval of

the legal non-conforming use to permit a parking area for commercial uses to continue on a portion of the site currently zoned Low Density Residential (R1) as outlined in application **A-59/19**.


With regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that Variances 1 thru 7, requested by application **A-59/19**, are minor in nature, desirable for the appropriate use of the lands and in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of the application.

Prepared and Submitted by:



Taya Devlin
Planner I

Approved by:



Margaret Josipovic
Manager, Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-65/21

31 Brock Street

DATE OF HEARING:
August 25, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-65/21

File: 21114335

Subject: 31 Brock Street

Recommendation

That Variances 1 and 2 of Application **A-65/21** by 1948158 Ontario Inc., as outlined in the Notice of Hearing, be withdrawn by the applicant.

That Variances 3 thru 7 of Application **A-65/21** by 1948158 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Report

The Proposal

Application **A-65/21** seeks relief from the City of St. Catharines By-law 2013-283, as amended, to facilitate the construction of a new covered front porch, reconfigured deck, new 1½ storey addition including a staircase, and carport and to recognize the existing 1½ storey dwelling. The applicant requests the following variances:

Variance	Provision	Required	Proposed
1	A reduction of the interior side yard setback to dwelling	1.2 metres	0.1 metres
2	A reduction of the rear yard setback to dwelling	6 metres	4.5 metres
3	A reduction of the minimum interior setback to a platform structure (0.6-1.2 m height above grade)	1.2 metres	0.15 metres
4	A reduction of the minimum front yard setback to a platform structure (0.6-1.2m height above grade)	3 metres	1.5 metres
5	An increase of the maximum height for an accessory structure	4.5 metres	6.25 metres
6	An increase of the maximum accessory structure lot coverage	10%	16.5%

7	An increase of the maximum total lot coverage	45%	46.5%
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Location and Site Description

The subject property is located on the west side of Brock Street, north of Dalhousie Avenue. The property is currently occupied by a detached dwelling and detached garage and is surrounded by detached dwellings. It is situated in a low-density residential neighbourhood within the Port Dalhousie Heritage District and has received the required permits from the Heritage Permit Advisory Committee.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1. Detached dwellings with a detached accessory structure are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Detached dwellings with platform structures, such as a porch or deck, and an accessory structure are permitted in this zone.

Planning Analysis

Variance 1 and 2 – Existing Dwelling

Variance 1 requests a reduction of the interior side yard setback to dwelling from 1.2 metres to 0.1 metres. Variance 2 requests a reduction of the rear yard setback to dwelling from 6 metres to 4.5 metres. Staff note that variances 1 and 2 on Application A-65/21 have been requested unnecessarily. The requested setbacks are long standing and associated with the existing established condition on site. Both the interior side yard and rear yard setbacks to the existing dwelling are considered legally established prior to the existing Zoning By-law and do not require minor variances. Therefore, variances 1 and 2 on application A-65/21 are not required. The Applicant was contacted prior to circulation of the Notice regarding withdrawal of Variances 1 and 2. Staff did not receive a response until after the Notice had been issued, which included Variances 1 and 2, as originally requested by the Applicant. The response received from the Applicant after the Notice was issued indicated general support for withdrawing these variances. Staff recommend that the applicant withdraws these variances.

Variance 3 and 4 – Covered Porch

Variance 3 requests a reduction of the minimum interior side yard setback to a platform structure from 1.2 metres to 0.15 metres. Variance 4 requests a reduction of the minimum

front yard setback to a platform structure from 3 metres to 1.5 metres. Both variances are requested to accommodate the construction of a proposed covered front porch.

Section 7.1 of the GCP states that development and redevelopment within the Urban Area shall be evaluated having regard for 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

The proposed reduction of the interior side yard setback and front yard setback to a platform structure does not conflict with the policies of the GCP. The building form and spacing is compatible with the surrounding neighbourhood, which has varied setbacks and is characterized by dwellings that address the streetscape in various ways, including buildings pulled towards the street, front porches and landscaping. The proposed porch will be covered with open sides and is located adjacent to an existing driveway on the neighbouring property to the south. The intent of the minimum side yard and front yard setback provision in the Zoning By-law is generally to ensure that the intention of Section 7.1 of the Official Plan is carried out. The proposed setback reductions are in keeping with the intent and purpose of the Official Plan and Zoning By-law.

Variance 3 requests a reduction to 0.15 metres to allow the construction of the covered porch in line with the existing setback of the detached dwelling. Using this setback maintains consistency on the site and is not anticipated to worsen the existing condition with the neighbouring detached dwelling to the south. Reducing the front yard setback from 3 metres to 1.5 metres (Variance 4) is not anticipated to have a negative impact on the streetscape of the neighbourhood or driver sightlines if the reduced setback is granted. The requested variances allow for appropriate expansion of the existing dwelling on the lot which is a desirable use of the residential property. The proposed reductions are considered minor in nature as no negative impacts are anticipated as a result of the reductions.

Variance 5 and 6 – Detached Garage

Variance 5 requests an increase of the maximum height for an accessory structure from 4.5 meters to 6.25 meters. Variance 6 requests an increase of the maximum accessory structure lot coverage from 10% to 16.5% of total lot area. Both variances are requested to accommodate a proposed addition, including stairs and carport, to the existing detached garage.

Zoning By-law 2013-283 restricts the height of accessory structures to 4.5 metres. The intent of the provision is to minimize the impacts of massing (i.e. so that structures do not overwhelm neighbouring properties and amenity areas). The Applicant requests an increase in height in order to construct an addition to the existing detached garage, resulting in a maximum height of 6.25 metres. The existing garage and proposed addition complies with the minimum 0.6 metre setback for a rear and interior side yard setback required by the zoning by-law. Further, the elevations provided with the application indicate a roof pitch that angles from the adjacent property to the north, with a height of 4.27 metres nearest the shared property line. The elevation plans also indicate the use of a privacy screen along the northern extent of the proposed deck, and window locations have been directed to facades that overlook onto the subject property, with only one upper window at the rear, from a proposed powder room. Any impact associated with the detached garage in terms of its scale and massing would be minimized in this scenario.

Variance 6 requests an increase of the maximum accessory structure lot coverage to accommodate the proposed addition to the existing detached garage. The Zoning By-law permits a total accessory structure coverage of 10% to ensure that the scale is appropriate for the site, and that there is adequate amenity space. Most of the additional lot area coverage results from the carport, which is proposed in front of the existing detached garage on a portion of the site that is currently used as driveway. The applicant has decided to make this addition a carport rather than a garage extension which helps mitigate the impact that this addition has on the site. The applicant has also maintained the existing amenity space which spans between the detached dwelling and the detached garage. Limiting the lot area coverage of accessory structures also ensures that these structures remain accessory to the principal dwelling. The existing garage, proposed den, stairs, and carport remain smaller in size than the principal dwelling, and the additional lot coverage is requested to make best use of available space existing on the site. Having a large accessory structure of this scale is common within the neighbourhood. The proposed development maintains adequate amenity space and separation distance, is compatible with the prevailing character of the neighbourhood, and reasonably mitigates the impact it has on the surrounding area through design.

It is staff's opinion that Variances 5 and 6 are minor in nature, desirable for the appropriate development of the land, and are in keeping with the general intent and purpose of the Zoning By-law and Official Plan, staff recommend approving variances 5 and 6.

Variance 7 – Lot Coverage

The Zoning By-law permits a maximum lot coverage of 45% when a lot has a total lot area that exceeds the maximum lot area permitted. As a result of the properties at 31 Brock Street and 33 Brock Street merging on title, the property (now recognized as 31 Brock Street) has a total lot area of 545 square metres, which exceeds the maximum lot area permitted in the R2 zone (465 square metres). The maximum lot coverage is established to ensure that a site has adequate amenity space and development on site is of appropriate scale for the lot. The proposed additions to the existing detached

dwelling and detached garage result in an increase in lot coverage. Staff note that while the carport contributes to the total lot coverage, it is proposed to occupy a portion of the site currently used as driveway, and therefore does not detract from any of the existing landscaping or amenity space provided on site. Port Dalhousie is a neighbourhood with a variety of lot and dwelling sizes, the proposed increase in lot coverage of 1.5% is considered minor. The proposed development includes additions to the existing dwelling and detached garage on site, maintaining amenity space at the rear and front of the site. The proposed scale and size of the development is not out of character for the neighbourhood. The property is within the Port Dalhousie Heritage District and has received the required permits for the construction of the proposed development. The architectural design of the proposed additions, including the scale and massing of the proposed covered porch, detached garage and carport, were considered through the review and issuance of the heritage permit.

It is staff's opinion that Variance 7 is minor in nature, desirable for the appropriate development of the land, and is in keeping with the general intent and purpose of the Zoning By-law and Official Plan, staff recommend approving Variance 7.

Conclusion

Having regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that application **A-65/21** is minor in nature, is desirable for the appropriate development of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of the Application.

Prepared and Submitted by:



Taya Devlin
Planner I

Approved by:



Margaret Josipovic
Manager, Planning Services

August 10th, 2021

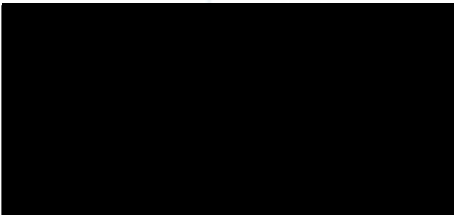
Re: 31 Brock St Reno

To Whom this may concern:

Please note that we, Arend & Darlene Roos who reside at 35 Brock St, next Door to 31 Brock St approve the plans for the renovation of 31 Brock St. This will be An asset to both the street and the town.

Sincerely

Arend & Darlene Roos.



August 11, 2021

Our File No.: PLMV202101124

BY E-MAIL ONLY

City of St. Catharines
Committee of Adjustment
50 Church St.
St. Catharines, ON
L2R 7C2

Attention: Elaine Munro, Secretary-Treasurer

Subject: Application Minor Variance
A-65/21
31 Brock Street

The Niagara Peninsula Conservation Authority (NPCA) has reviewed the above noted application and offers the following comments for your hearing.

The purpose and effect of the application is to facilitate the creation of a new covered front porch, reconfigured deck, dwelling addition, carport addition, and to recognize the existing dwelling on the property.

NPCA Policy

NPCA Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document.

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06* of the *Conservation Authorities Act*. The NPCA's *Policies for the Administration of Ontario Regulation 155/06 and The Planning Act*. (NPCA policies) provides direction for managing NPCA regulated features.

The subject lands are situated along the regulated section of the Lake Ontario Shoreline. In particular, the subject lands of 31 Brock Street fall under the Regulatory Erosion Hazard limit along this section of the shoreline. NPCA Policies require all new development be set back from the flooding, slope stability, and erosion hazard limits along the lake front. Unless however, these hazards have been appropriately mitigated to the satisfaction of the Authority. To adequately mitigate the Erosion Hazard, proper shoreline protection is typically installed along the lake frontage of the property.

The subject lands at 31 Brock Street do not have lakefront ownership in this instance. This property is set back quite far from the shoreline and are separated from the lake by several other lots. As such, shoreline protection is not required.

Conclusion:

Given the above, please be advised the NPCA offers no objections to the approval of this application, A-65/21. As this lot falls within the NPCA's Regulated Area, work permits from this office will be required for any development or site alteration.

I trust the above will be of assistance to you. Should you have any further questions or require further information in this matter, please do not hesitate to call. For administrative purposes, please forward any decisions and resolutions of your Committee. In the event of an appeal to the Local Planning Appeal Tribunal (LPAT), please send notice of any Case Management Conference.

Yours truly,

A handwritten signature in black ink, appearing to read 'Taran Lennard', is written over a horizontal line.

Taran Lennard
Watershed Planner
(905) 788-3135, ext. 277



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-20/21SC

99 Dieppe Road

DATE OF HEARING:
August 25, 2021



CITY OF
ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-76/21
B-20/21SC

File: 21115336
21114738

Subject: 99 Dieppe Road

Recommendation

Consent

That application **B-20/21SC** by 99 Dieppe Corp, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That final approval for the necessary minor variance application be received by the Committee of Adjustment.
2. Pursuant to Section 50(12) of the Planning Act, it is hereby stipulated that section 50(3) or 50(5) shall apply to any subsequent conveyance of, or other transaction involving, the identical subject parcel of land. Therefore, the applicant will provide the Secretary-Treasurer with a solicitor's undertaking that the condition of the Committee of Adjustment will be implemented and the properties (Parts 1 and 3) will be merged and become one parcel of land.
3. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
4. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
5. That all conditions of consent be fulfilled by August 25, 2022.

Minor Variance

That Application **A-76/21** by 99 Dieppe Corp, be approved for a reduction to the minimum landscape buffer along a parking area with more than 20 parking spaces but fewer than 100 along a lot line not abutting a public road from 3 metres to 1.6 metres.

Report The Proposal

The Applicant proposes to sever an existing parcel of land for the purpose of enlarging the outdoor storage area for a proposed Motor Vehicle Repair Garage with Sales on the property to the east, 11 Export Avenue. A consent to allow a boundary adjustment is required to facilitate this transfer of land. A minor variance is required to bring the retained

lot into conformity with the Zoning By-law due to a deficiency created by the new lot line. The requested consent and required minor variance for the retained lot are described in the tables below.

Consent	Retained Parcel	Retained Area	Severed Parcel	Severed Area
B-20/21SC	Part 2	14,710.9 m ²	Part 1 (To merge with Part 3)	3,618.2 m ²

Variance	Provision	Required	Proposed
1	Minimum landscape buffer along a parking area with more than 20 parking spaces but fewer than 100 along a lot line not abutting a public road	3 metres	1.6 metres

Location and Site Description

The subject property is located on the north side of Dieppe Road, between Grantham Avenue and Export Avenue. The surrounding uses are commercial and employment, with a commercial plaza to the north of the subject lands and employment uses to the east. On the west side of Grantham Avenue is an established residential neighbourhood consisting primarily of detached dwellings. The retained parcel is currently occupied by a building with warehousing the retailing uses. The area of the property subject to the boundary adjustment is vacant.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Employment on Schedule D1 of the Garden City Plan (GCP) and further designated General Employment on Schedule E3. The proposed use is permitted in the General Employment designation.

Zoning By-law (2013-283)

The subject property is zoned General Employment (E2). The proposed use is permitted in the E2 zone. The proposed lot sizes and frontages comply with the E2 zone.

Planning Analysis

Consent

Consent application **B-20/21SC** proposes a boundary adjustment to take a 3,618.2 square metre parcel of land (Part 1) from 99 Dieppe Road (Part 2) and add it to the lot at

11 Export Avenue (Part 3). The retained lot at 99 Dieppe Road will be 14,710.0 square metres after the boundary adjustment. The enlarged lot at 11 Export Avenue (Parts 1 and 3 combined) will be 13,277.8 square metres after the two parts merge.

Section 16.11.3 of the Official Plan has specific policies that apply to evaluation of consents, including boundary adjustments. Staff find that this application will not result in development that will cause significant expense by the City for public works, nor contribute to further development that would cause such expense. The application contributes to infilling by expanding an employment use to a currently underutilized portion of land. Finally, staff find that the size, shape and configuration of both the retained and enlarged parcels are appropriate for the continued and intended uses and optimizes development potential of the lands.

The reconfigured lots will meet the E2 zone's minimum required lot area of 4,000 square metres and minimum lot frontage of 60 metres. The proposed use for the enlarged 11 Export Avenue, being outdoor storage on Part 1 and Motor Vehicle Repair Garage with Sales on Part 3, is permitted in the E2 zone, and the consent has no impact on the continued use of 99 Dieppe Road. The consent to allow a boundary adjustment does create a zoning deficiency on 99 Dieppe Road where the new lot line is 1.62 metres from the edge of the existing parking lot. A landscape buffer of 3 metres is required by the zoning by-law. This matter is being addressed in the concurrent minor variance application covered in the section below.

The proposed boundary adjustment is supported by policies in the Official Plan and meets the requirements of the Zoning By-law, apart from the variance addressed in the section below. Staff are supportive of Consent Application B-20/21SC, subject to the conditions outlined in the recommendation.

Variance

Variance application **A-76/21** requests a reduction of the landscape buffer along a parking area with more than 20 parking spaces but fewer than 100 along a lot line not abutting a public road from 3 metres to 1.6 metres. The notice of hearing erroneously referred to the zoning requirement as "landscape buffer along a parking area with more than 20 parking spaces but fewer than 100 along a lot line not abutting a private road." Staff believe that this is a minor error and does not warrant recirculation of the notice of hearing.

The requested variance results from Consent Application B-20/21SC which is addressed in the section above. The new lot line being created through that application is approximately 1.6 metres from the existing parking area and entrance way. The property is located in an established employment area. The area is currently covered by grass – no other landscaping materials in the landscape buffer are being removed as a result of this variance. Staff find this variance to be minor in nature and desirable for the appropriate development of the lands.

The intent of the landscape buffer provision in the Zoning By-law is to meet streetscaping and landscaping policies in the Official Plan. Staff find that with the reduced landscape buffer width some landscaping can still be accommodated. The neighbouring property at 11 Export Avenue will undergo an amendment to the existing site plan agreement to

incorporate the expanded lot resulting from the boundary adjustment. Through the site plan agreement, staff will require enhanced landscaping on the east side of the new lot line to compensate for the reduced landscape buffer width on the west. Therefore, the proposed variance remains in keeping with the general intent and purpose of the Zoning By-law and Official Plan. Any zoning deficiencies identified through the site plan approval process for the new Motor Vehicle Repair Garage with Sale development will be required to be addressed through a minor variance application.

Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-20/21SC** meets the intent and purpose of the Official Plan and Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent be approved subject to the conditions listed in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-76/21** is minor in nature, desirable for the appropriate development of the lands, is in keeping with the general intent of the Zoning By-law and Official Plan. Staff recommend that the application be approved.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Margaret Josipovic
Manager, Planning Services

August 11, 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 114738 & 21 115336

Re: 99 Dieppe Rd

In response to your correspondence dated August 3, 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:

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

We would also like to stipulate the following:

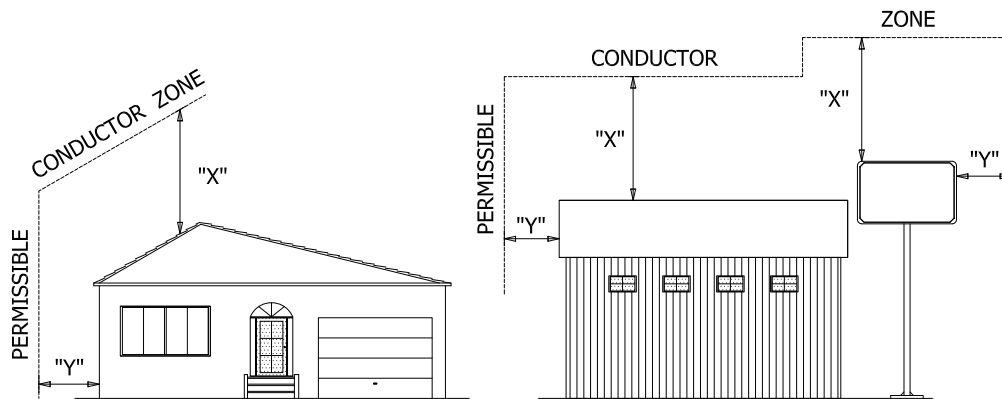
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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



Memorandum

To: Elaine Munro, 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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 25, 2021 hearing

B-20/21SC – 99 Dieppe Road

Comment:

- No comment

Condition:

- No comment

B-21/21SC – 494 Vine Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwellings on each new lot.

Condition:

- No comment

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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

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A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
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A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
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Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
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No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
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No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

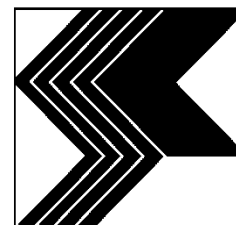
11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance:
That payment of 5% of the appraised value 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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-20-21SC



August 10th, 2020

ENGINEERING FILE 300-36

Hearing Date: August 25th, 2021

Applicant: Glen Schnarr & Associates Inc. (Michael Como)

Location: 99 Dieppe Road

MUNICIPAL SERVICES AVAILABLE

Water: Yes

Sanitary Sewer: Yes

Storm Sewer: None (Road-side Ditches)

Sidewalks: Along Dieppe Road and Grantham Avenue

Road Allowance Width: Export +/-20m, Dieppe +20m, Grantham +/-20m

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

Comment(s): It is noted that the Applicant proposes to create a boundary line adjustment by severing Part 1 as shown on the preliminary surveyor's sketch dated July 14th, 2021, prepared by Richard Larocque Limited. Part 1 is to be conveyed to the parcel of land to the east, Part 3, known as 11 Export Avenue for the purposes of a parking lot expansion. A remnant parcel, Part 2, known as 99 Dieppe Road would be retained for the existing commercial building.

Roads

The adjacent roadway widths are all sufficient. Therefore, the City will not be asking for any widenings.

Sidewalks

Sidewalks have recently been installed by the City along Dieppe Road and a portion of Grantham Avenue. Care must be taken not to damage these sidewalks during construction of the proposed parking lot.

Linear Municipal Services

Given that both sites are currently existing and have been developed through previous Planning applications. We understand an SPA amendment will be required. Site servicing, grading, and, Storm Water Management, will be handled through that process.

Condition(s): None.

Prepared by:

James R Denham, P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-66/21

403 Vine Street

DATE OF HEARING:
August 25, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-66/21

File No: 21114373

Subject: 403 Vine Street

Recommendation

That Application **A-66/21** by 1455581 Ontario Limited as outlined in the Notice of Hearing, be approved.

Report

The Proposal

Application **A-66/21** seeks relief from the City of St. Catharines By-law 2013-283, as amended, to facilitate the conversion of an existing auto repair garage building into a proposed medical office building. The applicant requests the following variances:

Variance	Provision	Permitted	Proposed
1	An increase of the maximum percentage of the total gross leasable floor area (glfa) for non-commercial uses	40%	100%
2	A reduction of the landscape buffer along a parking area with more than 20 parking spaces but fewer than 100 along a lot line not abutting a public road	3 Metres	0.626 Metres

Location and Site Description

The subject property is located on the west side of Vine Street, north of Scott Street. The property surrounded by a commercial use (restaurant) to the north, residential uses to the east and west, and vacant commercially zoned land to the south. There is an existing vacant building on the property that was previously a motor vehicle repair garage.

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 Commercial on Schedule D1 of the Garden City Plan (GCP) and further designated Community Commercial on Schedule E3. The intent of the Community Commercial designation is to provide a variety and mix of uses to serve the surrounding community. The proposed medical office use is permitted, and no Official Plan Amendment is required.

Zoning By-law (2013-283)

The subject property is zoned Community Commercial (C2) which permits a variety of commercial, office, recreation and institutional uses. The Zoning By-law identifies certain uses as “non-commercial”, and limits these uses to a maximum of 40% of the gross leasable floor area (GLFA). Medical offices are considered non-commercial uses, as such, they can only occupy 40% of the GLFA. The proposed medical offices make up 100% of the GLFA on the subject property.

Planning Analysis

Variance 1 – Total Gross Leasable Floor Area

Variance 1 requests an increase of the maximum percentage of the total GLFA for non-commercial uses from 40% to 100% on the property. The variance is requested to facilitate the construction of a 3-unit office development containing a medical, optical, and dental clinic.

Section 9.2.2 of the GCP states that Community Commercial Centres are primarily intended to provide concentrations of commercial facilities to support day to day and weekly shopping and service needs for the local surrounding community population. It includes a wide variety of permitted uses within the designation to help meet the intent of the designation to provide a diverse range of uses and services. The Zoning By-law further supports the intent of the GCP by limiting non-commercial uses to 40% of the GLFA in order to ensure the commercial focus of the Community Commercial centre remains prominent.

In this case, the property is part of a much larger commercial centre made up of twenty properties, including Grantham plaza along Scott Street. According to the Justification Report prepared by Joseph M. Tomaino, MCIP, RPP, there is over 290 000 sq. feet of leasable floor area in the Community Commercial centre, with the Grantham Plaza alone being upwards of 160,000 sq. ft. of this space. These numbers are generally in line with the approved site plans across the Commercial centre. The subject property contains one standalone building and is only 4300 sq. ft. in size, representing approximately 1% of the overall commercial centre. There is sufficient commercial and vacant GLFA in the Commercial centre to maintain a predominantly commercial provision of retail and services. The variance is considered to be minor in nature, and the intent and purpose of the Official Plan and Zoning By-law are being maintained.

The small scale of the building makes it difficult to provide on one site the variety of diverse uses that a Community Commercial centre should have as a whole. As such, it is considered appropriate and desirable to utilize the land for medical offices,

recognizing that they contribute to the overall range and mix of uses in the area, despite not containing retail commercial uses on-site. Staff recommend approval of Variance 1.

Variance 2 – Landscape Buffer

Variance 2 requests a reduction of the landscape buffer along a parking area with 20 – 100 parking spaces along a lot line not abutting a public road from 3 metres to 0.626 metres. The applicant has requested a reduction of this setback to 0.626 metres along the south property line between a vacant commercial property and the proposed driveway into the parking lot at the rear of the site.

The intent of the landscape buffer is, in part, to limit the impact of parking areas on surrounding land uses, in part by acting as a slight noise buffer, and by helping to prevent light trespass from head and taillights as cars enter and exit parking spaces. In this case, the driveway is the only portion of the parking area that is located less than 3 metres from the property line. The driveway will not contribute to light trespass, and any sound impact would be minimal as vehicles should not be starting up or idling for long in the driveway. Further, the intent of the landscape buffer provision in the Zoning By-law is to meet streetscaping and landscaping policies in the Official Plan. The perimeter landscaping around the parking area itself meets or exceeds the minimum landscaping requirements. Additionally, front yard landscaping is to be enhanced as a requirement of the Site Plan process. The intent and purpose of the Official Plan and Zoning By-law are being maintained.

The reduction is only located along a portion of the south property line, along the driveway. The buffering of the parking area is maintained in all other locations. The abutting property is not expected to be negatively impacted by the reduction in the landscape buffer. The reduction is considered minor in nature.

The driveway has been proposed to be located closer to the south property line to make room for a pedestrian walkway and bicycle parking along the existing building on site. These elements have been requested by the city through the Site Plan process to ensure a site design that is functional for pedestrians, cyclists and automobiles alike. Variance 2 is considered desirable for the appropriate development of the land. Staff recommend approval of Variance 2.

Conclusion

Having regard for the matters under Section 45(1) of the Planning Act, staff are of the opinion that Application **A-66/21** 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 development of the lands. Staff recommend that the application be approved.

Prepared by:



Cameron Rose
Student Planner

Submitted by:



Charlotte McEwan
Planner I

Approved by:



Margaret Josipovic
Manager of Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-67/21

4 Ameer Drive

DATE OF HEARING:
August 25, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Amanda No.21114384, A-67/21, 4 Ameer Drive
Date: Friday, August 6, 2021 1:41:43 PM

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



From: Mary Wardle <>
Sent: Friday, August 6, 2021 1:30 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Amanda No.21114384, A-67/21

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.

Dear Elaine Munro Secretary-Treasurer

Committee of Adjustment City Hall, city of St. Catharines I am writing to put forward mine and my husbands' voice AGAINST the proposed variances of 4 Ameer Drive, St. Catharines. I just received my notice in the mail today and we are ABSOLUTELY against this proposed variance. We have worked too long and too hard to have our neighborhood turned into an area with rentals similar to a lot of other neighborhoods in St. Catharines eg.. Jacobson Ave to name one. The north end of St. Catharines north of Lakeshore rd here where the proposed variance is should be kept single family homes. We think housing be it rental or buying is getting way out of hand and we as citizens have to start to do something about it. The greed of people at the expense of others is staggering and for one we are tired of it. So this is our official notice to go against the proposed variance. We don't want it. Thank you Mary and Shane Wardle. We would also like a copy of the decision as well mailed to us or emailed to this email. Our address is 15 Granada Dr, St Catharines, ON L2N 2S4. Again thank you for your time.

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Opposition To Minor Variance at 4 Ameer Drive, St.catharines
Date: Tuesday, August 10, 2021 4:23:52 PM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Rick Dupuis <>

Sent: Tuesday, August 10, 2021 2:53 PM

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

Subject: Opposition To Minor Variance at 4 Ameer Drive, 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 Ms Munro, Committee Secretary and Planning Technician,

I am writing to express my opposition to the Minor Variance at 4 Ameer Drive in St.Catharines.

I am the owner of 23 Trinidad Cres., and am concerned as to the precedence that this would set in allowing further multi residences within our community. I am very concerned as my neighbouring property had an addition to accommodate a large growing family some 15-20 years ago and now has six bedrooms. I believe this property would be optimal for this expansion and would very likely cause increased vehicle and people traffic in and around the home; parking issues; excessive outside noise; and reduce the value of my property.

Please note my opposition to the Minor Variance and my favour to maintaining a single family residence only zoning in my neighbourhood.

I would appreciate your response back acknowledging your receipt of this email.

Kind Regards,
Rick Dupuis

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 4 ameer
Date: Tuesday, August 10, 2021 4:28:32 PM

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



From: ARKELL FARR <a>
Sent: Tuesday, August 10, 2021 4:10 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 4 ameer

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, we are submitting our objection to the not so minor variance request from #4 Ameer dr. in St. Catharines. This variance would effectively change our neighborhood from single family homes to multiple family dwellings, setting a precedent for other properties in the neighborhood. Allowing this would change the desirability of this areaone we have enjoyed for 46 years. Thank you and please pass on our concerns. Penni & Arkell Farr 21 Granada Drive XXX XXX XXXX

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 4 Ameer Drive
Date: Wednesday, August 11, 2021 11:14:29 AM

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



From: Chris Balz <>
Sent: Wednesday, August 11, 2021 11:00 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 4 Ameer Drive

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.

Amanda No. 21114384 Submission No. A-67/21

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

Dear Ms Munro:

I am emailing you today with regards to this Notice of Hearing

Please note my most strenuous objection to this application for "Minor Variance"

The application is to set a precedent that severely conflicts with the existing mature neighbourhood

As the owner and resident of a bordering property at 12 Granada Drive for the last 30 years, I wish to express in no uncertain terms my complete disagreement with this proposal

It is inconsistent, inconsiderate and incomprehensible to divide the subject property into multiple units.

Please confirm receipt of this email and advise if you require any more information

Thank you

Christopher Balz
12 Granada Drive
St. Catharines, Ontario
L2N 2S5

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

Crissy & Clint Bowman
14 Granada Drive
St. Catharines, ON L2N 2S5

August 12th, 2021

Sent by Email to:

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

OBJECTION TO MINOR VARIANCE APPLICATION A-67/21

Dear Sir/Madam:

We, Crissy and Clint Bowman, the registered owners of 14 Granada Drive geographically described as LT 50 PL 625 ; S/T RO197422,RO197915 hereby **object** to the minor variance application A-67/21 located at 4 Ameer Drive geographically described as LT 48 PL 625 ; S/T RO197422,RO197915.

Pursuant to a Subdivision Agreement registered as RO191623 on 1969/06/25, the subdivision known as "Wakil Park Estates" was developed as a subdivision of Single-Family Residences zoned as R1B except for Block A zoned as C1.

Our premise of this objection is based on the following:

Not a Minor Variance - Single Family Residence Zoning

By allowing for a minor variance, this will change the whole character of the neighbourhood. One of the most desired subdivisions in the Niagara Region, known to many as part of “Lakeshore North”, buyers seek this area for its single-family residences. Our neighbourhood is moderately dense with plenty of urban services which is extremely attractive to buyers.

Wakil Park Estates consists of long-time owners up ward of 50 years. We have been in our home for 17 years and have witnessed new young families move into the area and seeing the pride of ownership and sense of community is exactly what the residents within “Lakeshore North” desire.

By allowing for this variance, the zoning of this particular property will change to R2. This will set a precedence for other investors to come into our neighbourhood and change the character and landscape. A landscape that was not a part of the original building scheme. This is too important to our neighbourhood, especially those in the direct area surrounding of the said property. This will make our neighbourhood less desirable and may impact the value of existing properties. Privacy, parking, traffic, and noise are huge concerns. A multi family residence is incompatible with the established built form and character of the neighbourhood. The applicants have placed our neighborhood in a vulnerable situation.

Privacy

As mentioned above we have resided in our home for 17 years. In that 17 years, there have only been two owners in the property in question. In that time, we knew the owners and never worried about privacy. By allowing for a Multi-family home, we will never have consistent neighbours. With the proposal, there could potentially be anywhere up to 10 plus people residing in the home from all different demographics. A six-foot fence could never provide us with enough privacy from renters who may be coming in and out of the multifamily residence.

Parking

A multi-family home will increase the average volume of vehicles than that of a single-family residence. Depending on the volume of renters in the residence, there could be up to 5 plus vehicles which the driveway of the said property could not accommodate. This would be detrimental to the streetscape. There are many children in the surrounding area and may pose a danger.

Traffic

A multi-family home will increase the volume of traffic coming in and out of the neighborhood.

Noise

Our current neighbourhood is a quiet and peaceful place to live. By allowing multi family residence, you allow a volume of residents in one building which may contribute to noise.

In addition, this rental may attract students from Brock University and/or Niagara College.

Necessity

There is no need to increase the floor space of a home that is zoned as R1B. How many occupants will there be? If approved, this could change with every new owner purchasing the said property for "investment". The increase in density may have a negative impact on the abutting owners, the hardship of potential loss in market value this may cause will only be known after the fact and is that a risk the City of St. Catharines and Applicants are willing to force upon members of their community? There are so many things that could be discussed that impact the neighbourhood and there are no positives. Knowing the home is going to be rented is already disheartening, never mind adding multiple units.

In closing, this proposal has caused much concern to the residents surrounding the subject property. We trust that our concerns have been heard by our City and that this minor variance be denied preserving the integrity of Wakil Park Estates neighbourhood.

Sincerely,

Crissy & Clint Bowman

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Submission re: request for minor variance 4 Ameer Drive
Date: Monday, August 16, 2021 10:11:37 AM

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



From: Alex Hastie <>
Sent: Saturday, August 14, 2021 1:50 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Submission re: request for minor variance 4 Ameer Drive

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.

Elaine Munro, Secretary-Treasurer
Committee of Adjustment, City Hall

Re: **Amanda No. 21114384**
Submission No. A-67/21
Minor Variance Application to 4 Ameer Drive

Please accept our comments with regards to the above application.

In addition to having signed the neighbourhood petition opposing this application, we would like to make the following comments.

We moved to St.Catharines from Oakville with our infant daughter in July 1971.

We selected our current home at 2 Ameer Drive since it was in a quiet single family residential area. We have raised and educated 3 children here. They are now grown and living on their own. This leaves us retired seniors. During the 50 years in St.Catharines we have contributed economically, socially and culturally to the community.

With respect to this application we wish to register our vehement opposition.

If approved this variance could affect us financially and socially. The conversion of the single family dwelling of approximately 1100 square feet to two apartment units with possibly 7 to 10 residents and unknown quantity of vehicles is not conducive to this neighbourhood.

Extensive renovation work has been conducted on the property prior to the posting of the application for variance. The single car driveway was widened to a double driveway. This work was conducted while Norjohn Construction was replacing curbing and repaving our street. I believe this eliminated the need to apply to have the size of the curbing and asphalt increased. There have been noticeable structural changes to the building. The foundation was cut below grade for the two windows and window wells as noted on the plan. If a building permit is required for these alterations, I have seen none posted. There have been contractors on site for many weeks working on the interior of the building. I have no idea what renovations have been conducted inside.

Since the above mentioned driveway abuts and may even be encroaching on my property, I would have to erect fencing along the north of my side yard for privacy and prevent trespassing on my property for vehicle access.

At no point , in limited conversation with the applicants, did they indicate their intention to divide the dwelling into two separate apartments.

We hope the City of St.Catharines will live by their motto of "CITIZENS FIRST" and reject this application.

Respectfully submitted
Alex and Julie Ann Hastie
2 Ameer Drive

Sent from [Mail](#) for Windows

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received - Minor Variance, A-67/21 RE: Rezoning of 4 Ameer Drive
Date: Monday, August 16, 2021 10:14:16 AM

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



From: Linda Alexander >
Sent: Sunday, August 15, 2021 9:37 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Rezoning of 4 Ameer Drive

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Attention: Elaine Munro ACST
Committee Secretary and Planning Technician

I am writing to express our objections to the rezoning of the property at 4 Ameer Drive , to a two family residence, making it possible for the property to be rented to two separate tenants. This would set a precedent for other properties in this neighbourhood to follow.

We have all seen the devastating effects in other neighbourhoods where houses have been rezoned to be allowed as tenant dwellings with absentee landlords. This not only brings the value of the surrounding properties down, it also has been known to create many other problems within those neighbourhoods.

It is a well known fact that what you do not own, you do not value in the same manner. Unsightly lots, loud noise from parties, multiple vehicles parked in the driveway, garbage strewn about are just some of the things that have happened in some very nice neighbourhoods that had houses rezoned for tenants.

If you were to look around this neighbourhood you would see that the people living here take very good care of their homes and pride themselves in the fact that they live in a beautiful, well kept neighbourhood. . We take pride in the neighbourhood and are not interested in allowing it to deteriorate by allowing houses to be turned into rental situations. Income properties are not welcome here nor are they an asset to this neighbourhood.

We trust you will consider our strong objection to this rezoning.

Sincerely
Carmen and Linda Alexander

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Rezoning of 4 Ameer, St. Catharines
Date: Monday, August 16, 2021 12:08:57 PM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Kelley Nichols-Hills <>
Sent: Monday, August 16, 2021 9:53 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: ICE-Shaun <>
Subject: Rezoning of 4 Ameer, St. Catharines

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Good morning,

Further to the variance being requested at the above address, I would like to add my opposition.

I don't live in the immediate area being impacted, but my children do. I visit frequently and am always impressed by the "family" feel of the neighbourhood. Many residents have lived here since these homes were built and others have moved in with young families. Everyone is friendly, welcoming and always willing to assist one another in many helpful ways.

The variance being considered is completely non-conforming to the neighbourhood. Allowing such a change would set a precedent that would easily allow for additional traffic, a strain to City services, an overall lowering of property values and a more transient dynamic. This is currently a beautiful, well maintained family neighbourhood where children are safe to play, and neighbours look out for each other.

Please consider what is best for the entire neighbourhood, not one single property owner.

Thank you.

Kelley Nichols-Hills

77 Linwell Rd., Unit 109

St. Catharines

L2N 6R1

Sent from my iPhone

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 4 ameer variance
Date: Tuesday, August 17, 2021 7:45:57 AM

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



From: Nathan Chown <>
Sent: Monday, August 16, 2021 8:38 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 4 ameer variance

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We live on Sandy Cove and feel that this type of variance is not suitable to the area. The opening up to allow rental units would change the dynamic of the area and also increase traffic flow on side streets, which most do not have sidewalks. If passed the subsequent devaluing of property value may lead other homes to follow suit and also create rental units further stressing the area's roads and services.

Nathan Chown

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Notice of Hearing submission NO. A-67/21
Date: Tuesday, August 17, 2021 7:01:29 PM

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



From: Lorraine Bergen <>
Sent: Tuesday, August 17, 2021 6:53 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Hearing submission NO. A-67/21

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To Whom it May Concern,

I have received a Notice of Hearing regarding a home in my neighbourhood at 4 Ameer Drive. I understand the owners are requesting an increase of space on separate units. It is my understanding that our neighbourhood is not zoned for duplexes and I have many concerns with this home changing from a single detached home to two rental units. This is not a situation we would like to see happen on our street. Each unit can end up having several people living there which causes concern. The increase of cars, the number of people coming and going, additional garbage bins outside are just a few of the concerns. We understand the need for additional housing in our city but changing our single dwellings into multiple units is not ideal nor is it a welcomed proposal in a quiet residential neighbourhood. This should remain a single family home.

Thank you for your time reviewing my concerns and the concerns of many of our neighbours.

Lorraine and Harvey Bergen
8 Ameer Drive
St. Catharines

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

To: Committee of Adjustments,

C/O Elaine Munro, Secretary Treasurer, City of St. Catharines

Re: Application for Minor Variance, Amanda #21114384

Submission A-67/21, 4 Ameer Dr. St. Catharines.

We, the undersigned, wish to register our strong opposition to the application noted above, based upon, but not limited to, the following concerns:

1. While the application superficially requests the granting of a building permit, it has been brought to our attention that such an alteration, if granted, would enable the property to be used as a two-family dwelling. If true, this would not conform to any of the norms established within this community during its half-century of existence and has the potential to transform our entire neighbourhood in a very negative way.
2. Granting this permit would set a precedent and almost ensure that all future applications for similar transformations would be granted. This would substantively alter the nature of the neighbourhood in a way that was never intended either by the city or by the local residents.
3. Opening the potential for multi-residential dwellings would not conform to the legal or social arrangements that have been adhered to within the neighbourhood since the homes were first built in the 1970s. It has been the expectation of the residents (and imposed by the city) that all dwellings be restricted to single families and their direct relatives within the definition of the relevant bylaws - and those rules, to the best of my knowledge have been upheld without exception. There is a broad consensus within the neighbourhood to maintain the current standard for the indefinite future.
4. There is a strong sense of community and a high degree of stability within the neighbourhood and rezoning properties to a non-conforming use as two-tenant rental units has the potential to erode the quality-of-life enjoyed for fifty years and, hopefully for many decades to come. Most residents are long term, with many still being the original owners. People take pride in this neighbourhood and have enjoyed a peaceful, secure, and neighbourly lifestyle. Their pride of ownership is

evident to anyone, even upon casual observation. Homes are maintained to a very high and consistent standard, almost without exception. Within the bounds of the neighbourhood, comprising hundreds of homes bound by Geneva St on the East, Shoreline Blvd on the West, Lakeshore Rd on the south and the Lake Ontario on the north, we would defy anyone to find one derelict home or unkempt lawn. The potential for greater transience among renters and the consequent lack of interest in performing maintenance would not conform to this standard and should not be permitted.

5. Utilities, parking, and roadways were all engineered for the stable population that has occupied these homes since the subdivision was planned. Increasing density would potentially put strains on these services and place future burden on the city to upgrade these facilities to meet higher demand.
6. Enabling conversions to two-family residences may provide for a few additional residential units over time, but there are relatively few homes in this neighbourhood that are suitable for such conversions without destroying the integrity of the structures, thus, negatively impacting the surrounding homes. Further, the minor benefit that might be anticipated in alleviating shortages of residential units might be wholly offset by a potential decline in tax revenues. The premium attached to property valuations, reflecting the current high quality of life and maintenance to be found here, is also reflected in higher property taxes enjoyed by the city. If this covenant is eroded, there is the potential for lower valuations and, thus, a lower tax base for the city.
7. In summary, it is our strong opinion that this application does not conform to the norms that have been a part of this neighbourhood since its' inception, nor the expectations of its current residents, and would, thus, represent a net-negative for both the neighbourhood and for the city as a whole.
8. A list of local residents who have read and agree with this view is attached:

The following pages contain the signatures of one or more occupants of the properties shaded in orange, indicating their objection to the application being considered for 4 Ameer Dr, St. Catharines.



Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
Sarkis Mazmanian [Redacted]	26 Granada Dr St. Cath	Aug. 9/21
LINDA ALEXANDER Carmen Alexander	28 GRANADA DR. ST CATHARINES	Aug. 9/21
[Redacted]	28 Howard Dr.	Aug 9/21
[Redacted]	33 Granada DR	Aug 9, 21
Marija Uremovich		
Vic + Pauline Medland	29 '1' GRANADA	'1' AUG 9
[Redacted]	34 SHORELINE DR.	AUG 9/21
George Robinson		
[Redacted]	34 Shoreline Dr.	Aug 10/21
Bonnie Robinson		
Yan Zhang	30 Granada Drive	Aug 10/21
[Redacted]	3 Ameer Drive	Aug 10 - 2021
Wilma Lintaman		

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
x  BRYAN SALTYS	18 TRINIDAD CRES. ST CATHARINES	AUG 10/21
 Andrew Fuest		
 Dorothea Koeppe	17 Trinidad Cr St. Catharines	8/10/21
x 	30 TRINIDAD CRES ST. CATHARINES	10/08/21
		
x  Fred Koidl	28 Trinidad	10/08/21
	30 Trinidad Cres, St Catharines	10/08/21
		
x 	20 Granada Dr.	10/08/21
x 	20 Granada DR	10/08/2021
		
x  DARREN CHAPMAN 	24 GRANADA DR	10/08/21

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
PENNI FARR [REDACTED]	21 Granada Dr	Aug 9/2021
ARKELL FARR [REDACTED]	21 GRANADA DR.	Aug 9/21
CHAT Bowman [REDACTED]	14 Granada Dr.	Aug 9/21
Cissy Bowman [REDACTED]	14 Granada Dr.	Aug 9, 2021
Nick Tratchuk [REDACTED]	13 Granada Dr	Aug 9 2021
Robert Smith [REDACTED]	11 Granada Dr	Aug 9 2021
Danielle Maltais-Smith [REDACTED]	11 Granada Dr	Aug 9 2021
CHARLOTTE MEETHLING [REDACTED]	9 GRANADA DR.	AUG 9/21
JAMES Collier [REDACTED]	7 Granada Dr	Aug 09/21

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
LYNN NUNNEY [REDACTED]	7 GRANADA DR ST. CATHARINES, ON	AUG. 9, 21
Kelly Doherty [REDACTED]	5 Granada Dr. St. Catharines L2N 2B4	Aug 9/21
Michael Collier [REDACTED]	7 Granada DR. St. Catharines, ON	Aug. 9/21
Ethan Murphy Diane Bell [REDACTED]	1 Granada Dr. St. Catharines, Ont. L2N 2S4	Aug. 9/21
Mary Wardle [REDACTED]	15 Granada Dr. St. Cath L2N 2S4	Aug 9/21
CHRISTOPHER BALZ [REDACTED]	12 GRANADA DRIVE ST. CATH L2N 2S5	AUG 10, 2021
Maria Rotundo [REDACTED]	2 Granada Dr. St. Catharines.	Aug 10/21
Kyle Comeau [REDACTED]	3 GRANADA DR. 11 11	AUG 10/21
Sarah Gode [REDACTED]	17 Granada Dr	Aug 10/21
Kim Richards [REDACTED]		

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
Jamie Conron	38 Ameer Dr.	Aug 11/21
Sylvia Green	36 Ameer Dr	Aug 11/21
Liette VASSEUR	34 Ameer Dr.	Aug. 11/21
Howard Comeau	32 Ameer DR.	Aug 11/21
[REDACTED]		
Fim Comeau [REDACTED]	32 Ameer Dr	Aug 11/21
Nancy Adams	35 Ameer Dr.	Aug. 11/21
[REDACTED]		
[REDACTED]	33 AMEER SCOTT & ANNE GEMMELL	Aug 11/21
Mrs. G. Gemmell	33 Ameer Dr.	Aug 11/21
	29 AMEER DR	AUG 11/21
[REDACTED]	JOE WILKES	
DAN PLUNKETT	28 AMEER DR	AUGUST 11/2021
BARB PLUNKETT	28 Ameer Dr.	Aug 11/2021
PAULINE CORRIGAN	27 Ameer Dr	Aug 11/2021

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
ALEX HASTIE	2 AMEER DR.	Aug 10 / 2021
[REDACTED]		
JULIE ANN HASTIE	2 AMEER DRIVE	Aug 10 / 21
[REDACTED]		
LORRIANE BERGEN	8 AMEER DR	Aug 10 / 21
[REDACTED]		
HARVEY BERGEN	8 AMEER DR	Aug 10 / 21
[REDACTED]		
[REDACTED]		
L. Mulvihill	10 Ameers Dr	Aug 10 / 21
M. Rake		
	9 Ameers Dr	Aug 10 / 21
Mike Tang		
[REDACTED]	6 Ameers Dr.	Aug 10 / 21
Andrew Pearson	5 Ameers Dr.	Aug 10 / 21
[REDACTED]		
Meaghan Pearson	5 Ameers Dr.	Aug 10 / 21
[REDACTED]		

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
 J. Galaburda	23 Sandy Cove	Aug 13/21
 Paul De Souza	22 SANDY COVE	Aug 14/21
 Rob Ficyk Ilona Ficyk	16 SANDY COVE.	Aug 14/21
 Tony Post	14 SANDY COVE	Aug 14/21
 Larry Brooks	12 Sandy Cove	Aug 14, 2021
 Diane Fonagy	6 Sandy Cove	Aug 14 2021
 Ron Fonagy	"	"
 Agler	13 Sandy Cove	Aug 14, 2021
	9 Sandy Cove	Aug. 14, 2021
	7 Sandy Cove	Aug 14/2021
 John Habel	15 SANDY COVE	" " "

Duly signed and acknowledged by the following residents of the nieghbourhood :

[illegible]

5

[illegible]

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
Ryan Meisner [Redacted]	13 Ameer Dr	Aug 11, 2021
Darlene + Scott Maddi	12 Ameer Dr.	Aug 11 2021
Peter + Kirsti Langstr	14 Ameer Dr.	Aug 11 / 2021
[Redacted] Dorothy Facca	16 AMEER DR	AUG 11 / 21
Pam Stoecklin now	15 Ameer Dr	Aug 12/21
[Redacted]		
[Redacted]	11 Ameer Dr	Aug 12/21
Bertha Grando [Redacted]	13 Ameer Dr	Aug 12/21
Walt Meisner	13 Ameer Dr	Aug 12, 21
[Redacted]		
[Redacted]	6 Ameer Dr	Aug 13, 21.
[Redacted]		
x [Redacted]	19 AMEER DR	AUG 14/21
D.E. Phelps		
x Mrs E. Pintual	2, Ameer Dr.	Aug 14/21
x J. Reid	18 Ameer Dr.	Aug 14th

Duly signed and acknowledged by the following residents of the neighbourhood :

Name/Signature	Address	Date
Daniel Sinopoli [REDACTED]	7 Ameer Drive	8/10/2021
Kathryn Sinopoli [REDACTED]	7 Ameer Dr.	8/10/2021
Charles [REDACTED] [REDACTED]	19 TRINIDAD Cres.	8/10/2021
[REDACTED]	19 TRINIDAD Cres.	8/10/2021
P. McRobbie		
x [REDACTED]	20 Ameer Drive	8/10/2021
x [REDACTED] Danny Dempsey	1 TRINIDAD CRESCENT	8/14/2021
x Dan Moisset [REDACTED] Cassandra Moisset	7 Trinidad Cres.	8/14/2021
x [REDACTED] [REDACTED]	5 TRINIDAD CRES	8/16/2021

Duly signed and acknowledged by the following residents of the neighbourhood :

[illegible]

M

[illegible]

Duly signed and acknowledged by the following residents of the nieghbourhood :

[illegible]

[illegible]

Duly signed and acknowledged by the following residents of the nieghbourhood :

[illegible]

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Appose property upgrade for multi-family dwelling at 4 Ameer Dr. St. Catharines, ON
Date: Wednesday, August 18, 2021 12:04:20 PM

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



From: Mike Tang <>
Sent: Wednesday, August 18, 2021 12:01 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Appose property upgrade for multi-family dwelling at 4 Ameer Dr. St. Catharines, ON

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,

I am writing this email to oppose my next-door neighbor, located at 4 Ameer Drive, St. Catharines planning to upgrade from a single family dwelling house to a multi-family dwelling. My family has been living at 6 Ameer Drive for more than 20 years, enjoyed friendly divided spaces between neighbors in this zoning.

The original property planning was designed to accommodate a single family only. If more than one family moved into his property, a lot of challenges will occur to us, including parking, garbage collection, noise control, and even safety concerns. Besides, it will bring its surrounding house value down as well.

My family oppose this expansion.

Thank you for your consideration.

Minhua (Mike) Tang and Jinling Zhang

6 Ameer Drive, St. Catharines, ON, residents

Tel: XXXXXXXXXX



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-67/21

File: 21114384

Subject: 4 Ameer Drive

Recommendation

That Application **A-67/21** by Olga Ukolov and Sergei Ukolov, 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 following variances are required to facilitate the accessory dwelling unit:

Variance	Provision	Permitted	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m ²	75.57m ²
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	45%

Location and Site Description

The subject property is located on the east side of Ameer Drive, north of Granada Drive. The property is currently occupied by a detached dwelling. The surrounding neighbourhood is low density residential comprised primarily of detached dwellings.

Circulation of Application

This Application was circulated to all appropriate departments and agencies to assess the proposal. This includes review from Development Engineering, Transportation, and Planning and Building Services staff to determine potential impacts regarding issues such

as traffic and parking, municipal infrastructure and servicing capacity and Ontario Building Code compliance. No objections were received following staff review.

The City received comments of opposition from eleven nearby property owners, including the properties adjacent to the subject property. Comments received expressed concerns regarding potential parking congestion, garbage collection, noise, potential impacts to property values, as well as opposition to rental households and multi-family dwellings. A petition in opposition of this proposal was received from the surrounding area, with a total of 117 signatures from 81 properties.

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. Part D, Section 7.10 in the GCP supports the creation of an accessory apartment unit within a detached dwelling.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Section 4.2 of City's Zoning By-law permits an interior accessory dwelling unit within a detached dwelling in this zone. The Zoning By-law does not speak to housing tenure within the City.

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.

The applicant is proposing an accessory dwelling unit with a floor area of 75.57 square meters, which will occupy 45 percent of the total floor area. The principal dwelling unit will remain larger in size than the accessory dwelling unit. Staff are satisfied that the accessory unit is subordinate in size and function to that of the principal dwelling unit. In accordance with Section 2.2.1 of the City's Zoning By-law, the proposed interior accessory dwelling unit is located entirely within the exterior walls of the principal dwelling unit and the lot complies with all other provisions of the By-law. This includes parking and amenity space provisions. There are currently two parking spaces on the property, which support the parking space requirements for the principal and accessory dwelling units.

Variance 1 requests an additional 15.57 square metres of floor area to accommodate the proposed accessory dwelling unit. The proposed use is permitted at this location under the City's Official Plan and Zoning By-law and the variance is considered minor in nature as it is not expected to cause adverse impacts on neighbouring properties.

Variance 2 requests a 5 percent increase in the maximum floor area permitted to accommodate an interior accessory dwelling unit. The purpose of the 40 percent maximum floor area is to ensure that the interior dwelling is “accessory” to the main dwelling. Given the percentage of the proposed dwelling unit is less than 50 percent of the dwelling’s total floor area, this unit is considered accessory to the principal dwelling.

The City supports the use of interior accessory dwelling units within existing detached, semi-detached and townhouse dwellings as this offers the opportunity for additional and modest housing units within a neighbourhood. The use of accessory dwelling units is supported by Section 8 of the Official Plan to provide a full range of housing opportunities, types and forms within Neighbourhood Residential designated areas of the City. The proposal to construct an accessory dwelling unit with an increase in size supports City policies to provide a range of housing for residents of varying ages, household types and income levels. Staff are satisfied that the application meets the general intent of the Official Plan and Zoning By-law.

In the opinion of staff, 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

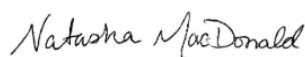
Having regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-67/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared by:



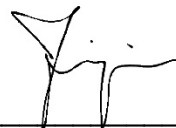
Cameron Rose
Student Planner

Submitted by:



Natasha MacDonald
Planner I

Approved by:



Margaret Josipovic
Manager Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-69/21

15 Lora Street

DATE OF HEARING:
August 25, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: File 21114653 - 15 Lora Street
Date: Friday, August 6, 2021 1:30:58 PM

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



From: Melissa and Jamie Duemo <>
Sent: Friday, August 6, 2021 12:37 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: File 21114653 - 15 Lora 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.

I have a couple other comments regarding this hearing.

Since my first comment was submitted tenants have moved into the upper unit of this house. These tenants are parking one car in the single driveway and one on the road. Therefore, I am very concerned as to where the second unit tenants will have parking. Will they just park in front of other houses on the street?

I am also discouraged by this whole process since the owner has been demolishing and renovating the lower unit since the beginning of July without City Permits.

Sent from [Outlook](#)

From: Melissa and Jamie Duemo <>
Sent: Wednesday, August 4, 2021 8:52 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: File 21114653 - 15 Lora 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.

Our concern regarding 15 Lora Street becoming a duplex is the address in question has a single car driveway.

Where are 2 families going to park their cars if 2 separate units are being rented out? It is

very unlikely they will share the driveway as they will block each other in.
Please send this concern to the Committee.

Thanks,
Melissa

Sent from [Outlook](#)

Aug 10, 2021

City of St. Catharines
Committee of Adjustment
Elaine Munro, Secretary Treasurer
P.O. Box 3012, 50 Church St.
St.Catharines, ON L2R7C2

Re: Application A-69/21
15 Lora St.

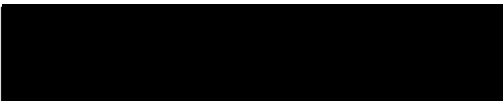
I would like to take issue with this Application for 15 Lora st.

The purpose of the Notice is to inform nearby residents and consider concerns regarding the installation of a basement apartment in this residential dwelling. However, this is not mentioned up front on the notice, instead it is only mentioned on back page, on the Site Plan. And on the Notice of Hearing sign posted on the lawn, the mention of the addition of "the proposed basement apartment" is barely visible.

When and under what authorization did this single dwelling residential neighbourhood get re-classified to allow multi-unit dwellings?

Often times this street gets extremely congested with parked vehicles on the boulevards, making it difficult to safely access the street from driveways, and makes access difficult for emergency vehicles. Where in the plan is consideration given for parking for the apartment residents? I didn't see that addressed in this application.

Over the past 3 or 4 months, substantial work and renovations has been taking place in & around this house. Has the construction of the apartment already taken place before receiving approval from the City?


June Sheehan
18 Lora St.

RPT	PROG	IN	P.D.S	INIT.
			REFERRED TO	
			E. MUNRO	
DATE REC'D →		AUG 16 2021		SCAN <input type="checkbox"/>
FILE NO				



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-69/21

File: 21114653

Subject: 15 Lora Street

Recommendation

That Application **A-69/21** by Anna Dec and Michal Dec, as outlined in the Notice of Hearing, be approved.

Report The Proposal

Application **A-69/21** seeks relief from the City of St. Catharines By-law 2013-283, as amended, to accommodate the construction of an accessory dwelling unit in the basement of the existing dwelling. The proposed accessory dwelling unit is larger than permitted in the City's Zoning By-law. The table below outlines the required variances to permit the accessory dwelling unit.

Variance	Provision	Required	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60.00m ²	89.56m ²
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	47.2%

Location and Site Description

The subject property is located on the west side of Lora Street, north of Linwell Road. The property is surrounded by low density residential uses comprised of primarily detached dwellings. The subject property is currently occupied by a detached dwelling.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E2. Detached dwellings with an accessory dwelling unit are permitted in this designation.

Zoning By-law (2013-283)

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

Planning Analysis

Variance 1 requests an increase of the maximum floor area of an interior accessory dwelling unit from 60 square metres to 89.56 square metres. **Variance 2** requests an increase of the maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling from 40 percent to 47.2 percent. Both variances are requested to facilitate the construction of an oversized accessory dwelling unit in the basement of the existing detached dwelling. Staff note that a potential increase in the current permitted size and 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.

An accessory dwelling unit is currently permitted on this property. The requested variances will result in an accessory dwelling unit that is larger than currently permitted. Accessory dwelling units are to remain subordinate in size and use to the principal dwelling unit so that the property maintains the character of a detached dwelling. The requested variances only impact the inside of the dwelling. There is no discernible impact on neighbouring properties from an increase to the accessory dwelling unit size. The subject lands have sufficient parking to accommodate the accessory dwelling unit. The accessory dwelling unit will be located in the basement of the existing detached dwelling. Staff find the requested variances to be minor in nature and desirable for the appropriate use of the subject lands.

As stated above, the proposed accessory dwelling unit will be subordinate in size and function to the primary dwelling unit on the site. The proposed accessory dwelling unit is located entirely within the exterior walls of the principal dwelling unit and the lot complies with all other provisions of the By-law. The lot also has the required number of parking spaces – one per dwelling unit, two in total. The Official Plan and Zoning By-law intend for accessory dwelling units to exist as accessory uses to the principal dwelling unit. The units provide an alternative housing supply and increase the vitality of existing neighbourhoods. An increase in the accessory dwelling unit size over the permitted maximum supports a range of housing for residents of varying ages, family type and income level. Staff are satisfied that the application meets the general intent and of the Official Plan and Zoning By-law.

Conclusion

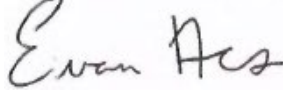
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-69/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared by:



Cameron Rose
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Margaret Josipovic
Manager, Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-70/21

3 Gavin Drive

DATE OF HEARING:
August 25, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 3 Gavin Dr
Date: Tuesday, August 17, 2021 7:41:48 AM

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



From: Darcie Buetow <>
Sent: Monday, August 16, 2021 7:20 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 3 Gavin Dr

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

We live at 7 Gavin Drive and believe the application submitted for 3 Gavin Drive should not be permitted.

I believe it would lower the evaluation of our homes as the proposal would be a definite eye sore

There already was lots of work done to this property.

There will not be enough parking in their driveway as they are already full. Street parking would cause a problem as we have ditches.

I really hope his doesn't get approved it would be a terrible idea and a complete eye sore to our beautiful subdivision

Please contact us if you have any questions or concerns

Gerda or Darcie Buetow

XXX-XXX-XXXX

Thank you

Get [Outlook for iOS](#)

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

2 Gavin Drive
St. Catharines, ON L2M 2X2

August 17, 2021

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

Dear Ms. Munro:

This letter is in response to the Notice of Hearing we received (Amanda No. 21114657, Submission No. A-70/21) from the City of St. Catharines, regarding 3 Gavin Drive (an application for Minor Variance from Kenneth Sweeney and Lisa Violo).

We oppose this application for a variety of reasons:

1. Parking – On the submitted drawings, two parking spots have been identified. One is in the garage and the other is in the driveway. Since there is only room for one vehicle width in the driveway, additional vehicles will be parking on the road in front of neighbour's houses.
2. Sewer – With the addition of multiple families under the same roof, has the infrastructure been upgraded to compensate for additional people? This area has had sewer backups in the past and we are concerned that there is not the infrastructure to support this.
3. Electrical – With the addition of multiple families under the same roof, is all the electrical up to code? We want to ensure there aren't any deficiencies causing neighbourhood power outages or fires.
4. Permits - There has been a lot of construction happening over the last two years at 3 Gavin Drive and we have not seen any permits posted in the front window. We are concerned that since this is proposed as being rental units that things won't be up to code. We are concerned as to whether there are proper safety protocols for unsuspecting renters. For example, egress window access from the basement, smoke alarms and carbon monoxide detectors.

We have lived at two Gavin Drive for seventeen years, and we chose this location since it was a quiet family neighbourhood to raise our family. It is our understanding that this corporation has taken over multiple houses in the area, so if this the case we are becoming a neighbourhood of apartments, rather than the neighbourhood of residential dwellings we were expecting to live in.

You'll note that the dwelling has been advertised for rent since May 2021 at the following link:

<https://www.youtube.com/watch?v=abNm6GGI1Ng>

We ask that you please reject the proposed application.

Sincerely,

Steve and Marsha Fiorino (2 Gavin Drive)

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 3 Gavin - Notice of Hearing
Date: Wednesday, August 18, 2021 7:18:30 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Megan Sutherland <>
Sent: Tuesday, August 17, 2021 8:54 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 3 Gavin - 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.

Hello Elaine,

I am emailing regarding the notice of hearing of 3 Gavin Drive in St. Catharines.

Living in the neighborhood, I am opposed to this new development for the reasons listed below.

1. Where would all of these cars park? With this street not being very wide and having ditches on both sides, cars parked on the street would make driving past very difficult.
2. More vehicle traffic. There's already no sidewalks, add in the fact that cars fly down the streets. This is Not safe for the children living in the neighborhood walking to Lockview School.
3. Sewage/water. With the older homes in our area the poor drainage and terrible sewer systems are already well past due to be updated. We can't add more usage without upgrading! If this does pass, I surely hope the increase in tax revenue from increasing the footprint of the structure, goes to improving the surrounding infrastructure.
4. Street maintenance. The roads in the neighborhood are full of potholes. If the city comes to fill them, the job is done so poorly. It's as if asphalt is thrown down and not even smoothed out. By allowing these variances, I'm afraid any more city work done on the streets half-hazardously will only create more issues.

Thank you for taking mine as well as other neighbors concerns into consideration.

Megan

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 3 Gavin Dr
Date: Wednesday, August 18, 2021 7:16:40 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Matt Sutherland <>
Sent: Tuesday, August 17, 2021 8:46 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 3 Gavin Dr

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,

I'm contacting you in regards to the public notice for 3 Gavin Dr, St. Catharines. I'm a resident of the neighborhood, and I strongly oppose this amendment to the building structure, for many reasons.

- 1) The neighborhood currently does not handle the water/ wastewater efficiently as it currently stands. During large storms or during the thaws of spring, many complaints from residents arise in regard to the backup in sewers due to the current system not being able to handle it. Adding more units/ residents will only make this worse.
- 2) The streets in the neighborhood are currently in terrible disrepair. The city already needs to repave these streets, tax dollars keep going up but I haven't seen any improvements, only terrible patch work that gets washed away during a storm. Adding more traffic will not help this situation. Where will these residents park.
- 3) This is a family friendly neighborhood and creating apartment units for rent in the area unfortunately means renters do not take care of their units like an owner would. This in turn brings down the value of the neighboring properties.
- 4) Traffic and fast driving cars are already a major concern in the area, as there's no sidewalks(which should kept like that!) but with children walking to the nearby school having more traffic is a concern.

I know many in the area share these concerns and I hope they are taken into consideration during this matter.

Thank you,
Matt
-a concerned neighbor

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Concerns regarding 3 Gavin Drive
Date: Wednesday, August 18, 2021 9:15:37 AM

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



From: Brown, Kelly >
Sent: Wednesday, August 18, 2021 9:11 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Concerns regarding 3 Gavin Drive

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,

As a long time resident near 3 Gavin Drive we opposed to the application for variance at 3 Gavin Drive.

We have many concerns including increased parking on the already narrow street as well as the increased demand on the overburdened sewer system in our neighbourhood.

The fact the renovations were not completed through the proper channels is a MAJOR red flag.

This is a lovely, quiet family neighbourhood with many long time residents who take pride in their homes.

We hope you make the right decision for the long term residents of the neighbourhood who will be affected by these changes.

Thank you for your time

Kelly Brown
22 Goldsmith Ave
St Catharines
L2M 2 V9
XXX-XXX-XXXX

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Variance at 3 Gavin Drive
Date: Wednesday, August 18, 2021 10:44:46 AM

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



From: David Brown <>
Sent: Wednesday, August 18, 2021 9:41 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Variance at 3 Gavin Drive

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,

As a long time resident across the street from 3 Gavin Drive I am opposed to the application for variance at this address.

I have several concerns some of which include, proper fire code adherence for rental properties, increased parking on the already narrow street as well as the increased demand on the already overburdened sewer system in our neighbourhood.

The fact the renovations were not completed through the proper channels and the owners are now basically asking for forgiveness shows the lack of respect for our municipal by-laws.

This is a lovely, quiet, family neighbourhood with many long time residents who take pride in their homes.

I hope you make the right decision for the long term residents of the neighbourhood who will be affected by these changes.

Regards

David Brown
[22 Goldsmith Ave](#)
[St Catharines](#)
[L2M 2V9](#)
XXX-XXX-XXXX

This letter is concerning the Minor Variance Application A-70/21, 3 Gavin Drive.

I am **OPPOSED** to this Minor Variance being granted and to there being 2 apartments in this detached dwelling.

I own **1 Gavin Drive** which is directly beside this affected property.

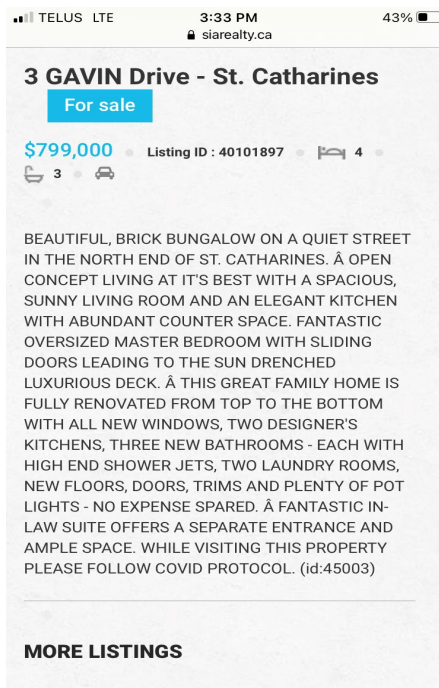
This property has been gutted and renovated completely without any building permits.

- This property has been furnished but vacant since March 2020.
- Why are Kenneth Sweeney and Lisa Violo allowed to have one of the 2 units with occupants living in there without any building permits?
- Both units (top floor and bottom floor “apartment”) were advertised as early as May 7, 2021 of being available to rent.
- As of Thursday, August 12, 2021 they **still do not have any building permits!**
- Is this property **fire safe** for me to be living beside as it hasn't had any inspections done, such as Fire, Electrical, Plumbing, and Structural? I don't feel at all confident living beside it as I saw the people who were doing the renovating, both for the previous owner as well as for Kenneth Sweeney and Lisa Violo! None of them had advertising or any information about their qualifications on their vehicles. How do I know they are licensed and certified contractors?

Having 2 apartments in this detached dwelling will now be putting a strain on the water, sewage, and hydro infrastructure.

There are 3 “high end bathrooms, 2 designer kitchens”, and 2 laundry rooms. Please see picture below.

- So that means there are **3 toilets, 3 bathroom sinks, 3 showers, 2 kitchen sinks, 2 dishwashers, 2 washing machines, 1 outdoor hose and 2 dryers**. Gavin Drive is not built to support all that water usage, sewage usage, and hydro usage coming from one house simultaneously!



It seems like this Minor Variance is being done so quickly so that it gets pushed through without anyone questioning it.

- 1 Gavin Drive is a family home that was built by my grandparents in 1959 and has been lived in by my family since then.
- By allowing 2 “apartments” to be put into what is a detached dwelling home for a family, you are ruining this quiet, family oriented neighbourhood!
- This will be setting a precedence that anyone can buy a property, do whatever they want inside of it, turn it into 2 or 3 apartments, all without building permits and meeting of any codes!
- This is enforcing that in St. Catharines, **You only need to ask for forgiveness and not permission!**

I was told that for the Interior Accessory dwelling to be allowed there has to be a tandem parking spot.

- I was also told that one parking spot is in the garage and the other parking spot is in the driveway. That is provided each “apartment” only has 1 car and no visitors.
- What will be done with all the things that are in the garage now as it will have to be used as a parking space? Will a shed need to be constructed to take up what little yard is left?
- The Interior Accessory Dwelling has been advertised as having **road parking**. Please see the picture below.
- Gavin Drive has steep and deep ditches on both sides and at the best of times it is a tight street. But if the occupants of 3 Gavin Drive can't all fit or choose not to park in the driveway, driving on the road will be even tighter! When there is snow the road is only one lane and if there are cars parked on the side of the road instead of their driveway, that will make it extremely dangerous to drive down with the ditches. Please see picture below.



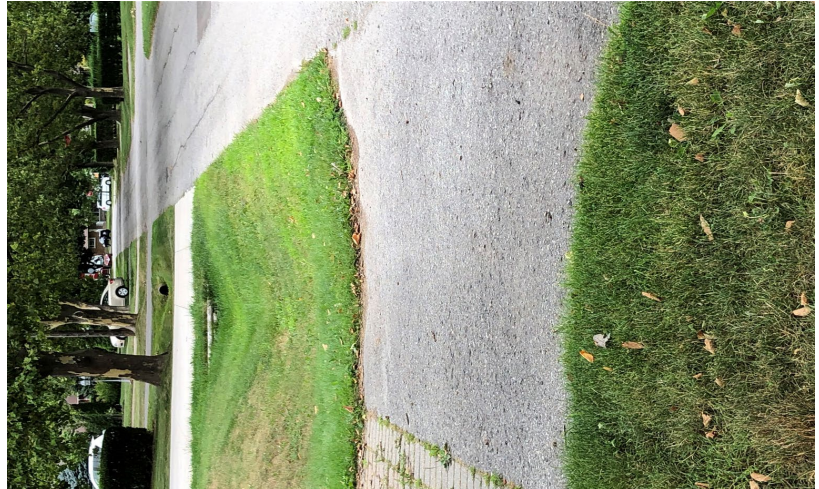
Search in...

About 3 Gavin Drive

Ontario > St. Catharines > Grantham >

3 Gavin Drive

APARTMENT FOR RENT!! You don't pay water, gas, or hydro!! Located in a well sought after, quiet North End neighbourhood this unit is within walking distance to Lake Ontario, Welland Canals Parkway, and is in close proximity to numerous parks, schools, restaurants, stores, and QEW highway access. This stunning newly renovated lower unit offers 1 large bedroom, den/office space, beautiful 3-piece bathroom featuring stand-up shower with jets, gorgeous open-concept kitchen with high end stainless steel appliances including a dishwasher, granite countertops, stunning tile backsplash, dining space, and a spacious living room brand new windows. Additional features include PRIVATE laundry, PRIVATE entrance, central air conditioning, and available road parking. Don't miss out on this incredible unit!



Request info

By calling this a “Minor” Variance, you are actually downplaying the fact that it is a MAJOR VARIANCE to everyone that lives in this neighbourhood! Our houses are now going to be devalued because who wants to live next to a 2 or possible 3 “apartment” rental! I certainly don't want to live beside that. Renters have no vested interest in the property and no respect for the neighbours who are actually **HOMEOWNERS**. When I bought this house, I bought it because it was single families living beside me. I DO NOT want to be living beside 2 or 3 different households under 1 roof, especially with COVID 19 entering the fourth wave.

I sincerely hope that my concerns are listened to and taken seriously as the Committee is not the one impacted by your decision! I am the one that is going to have to live with your decision! Please listen!

Susan Gabriel
1 Gavin Drive, St Catharines

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Variance for 3 Gavin Drive
Date: Wednesday, August 18, 2021 10:42:12 AM

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



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

From: Jon Davidson <>
Sent: Wednesday, August 18, 2021 9:36 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Variance for 3 Gavin Drive

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 Morning,

As a longtime resident of a home very close to 3 Gavin Drive, my wife and I are strongly opposed to the owner's application for a variance.

Gavin is a narrow street, our neighborhood sewers are already overburdened, and the owner(a) clearly didn't apply for proper permits in the first place. I believe this was intentional and therefore is a red flag for us.

Kind Regards,

Jon Davidson
(XXX) XXX-XXXX

Sent from my iPhone

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 3 Gavin Drive
Date: Wednesday, August 18, 2021 10:53:24 AM

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



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

From: Tammi Shaw <>
Sent: Wednesday, August 18, 2021 10:06 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: 3 Gavin Drive

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As a long time resident of this lovely quiet neighbourhood, I have concerns regarding the application for variances on this property. This truly is a gem of a neighbourhood where families thrive.

Having recently been affected by issues with our current sewer system, having more strain put on an already outdated and overrun system by adding multi-family residences is certainly an issue within this neighbourhood. We are seeing more and more of this. Street parking is typically not an option during specific seasons and with children in the area, we certainly don't need parked cars adding to safety issues.

It seems this is becoming a money grabbing trend for people buying into established neighbourhoods with the sole intention of flipping a property for personal gains, not specifically to become part of a decent family oriented neighbourhood. I realize this is a sign of the times and a chance to make money but this is exactly what is wrong with the real estate market. Cities have proper channels for a reason; these should not be an afterthought. I hope the right decisions are made pertaining to this property in order to keep a lovely neighbourhood just that.

Tammi Shaw
19 Goldsmith Ave.
L2M 2V7

Sent from my iPhone

Joel and Heather Gabriel

11 Upper Canada Drive
St.Catharines, ON L2N3H5

City of St. Catharines
PO Box 3012, 50 Church St.
St. Catharines ON L2R 7C2

August 18, 2021

Attention: Elaine Munro,

As a life-long resident of St.Catharines, I am deeply concerned with the events that are taking place at 3 Gavin Drive in St.Catharines.

My sister lives directly beside the property at 1 Gavin Drive. My Grandparents built that home, and were one of the first homes built on that street. This home has remained in our family ever since. Three Gavin Drive was another original home owner up until a few years ago when the original home owner passed away, and the family had to sell the house. Ever since they sold the property 2 years ago, there has been a flagrant disregard for following St.Catharines bylaws. The home was completely gutted, and renovated without any permits to include an upper and lower unit.

In the spring of 2021, this home was sold to a man and woman who represent a group of investors who have been tasked with purchasing as many homes in the north end of St.Catharines as possible for use as rentals.

The current owners have openly advertised the home as being for rent with an upper and lower unit available. There are many concerns that come with that including: parking, electrical and plumbing demands, noise concerns, and questions of safety since no building permits were issued.

How is it fair that "investors" can come into desirable residential neighborhoods, and use them for the purpose of making money, at the expense of lifelong residents?

If this neighbourhood had been filled with multi-unit rentals, would this neighbourhood be as desirable to a homeowner looking for a family home? The answer to most people would be no.

As a St.Catharines resident, my Wife and I specifically sought out our residence due to it being a quite, single family neighbourhood. We never would have purchased our home if it was surrounded by multi-unit rentals.

It may start with one multi-unit investor owned rental around you, but if The City of St.Catharines allows this, more will follow which will certainly devalue the lifelong residents home value.

Whose interests is The City of St.Catharines looking out for? The lifelong resident or the "investors"?

Please stand up and defend the interests of your lifelong St.Catharines residents. Listen to their concerns. They have supported You the City by choosing to stay in the city. It is now your turn to support them whose time, money and effort have made St.Catharines what it is.

Warm Regards,

Joel and Heather Gabriel

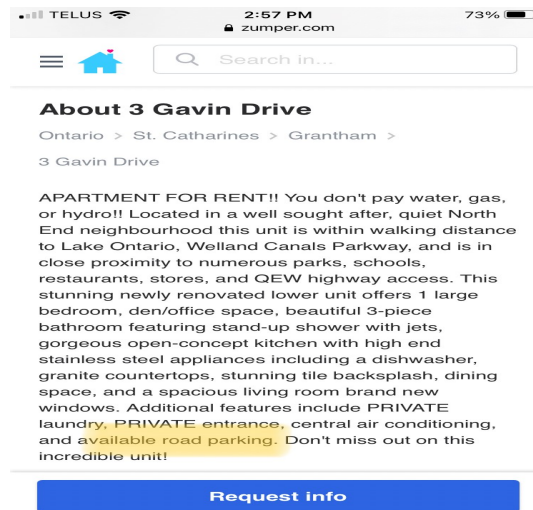
My wife and I are **opposed** to the application for a Minor Variance on this property, **3 Gavin Drive**. From the time this property was sold to someone in August 2019, St. Catharines City Rules and By-laws have been ignored. Please refer to “A Guide to Residential Building Permits” by the City of St. Catharines as well as “A Guide for Residential Additions”. It is very apparent these pamphlets are meaningless.

After the purchase, the owner immediately sent in unregistered, uncertified renovators, from out of the Region, who totally gutted the property from top to bottom without any Building Permits. We feel that if they had been registered, certified, and reputable renovators, they would have ensured that a Building Permit had been secured prior to work beginning. Have **Electrical, Fire, and Building safety standards** been addressed as of today, considering they don't have any building permits for 3 Gavin Drive?

With many calls from concerned citizens to the Planning and Building Services Department about a lack of a Building Permit, nothing was ever done. The homeowner didn't live there, nor did anyone else. Construction and renovations were completed and the house sat vacant from March 2020 to April 2021 when it was spruced up on the outside and put up for sale. The house was advertised as being, “Totally renovated from top to bottom” and a “Fantastic In-Law Suite”. See photo below.



It was then purchased by Kenneth Sweeney and Lisa Violo, part of York Group of Companies whose mandate we understand is to purchase as many detached dwellings in the Northend of St. Catharines and turn them into rentals. After purchase it was immediately advertised as 2 separate rental units. The basement unit was advertised as having road parking available. See photo below.



Adding extra units in one detached dwelling puts a strain on the infrastructure. Sewers, water lines, roads with road parking now, internet, fire, and health care are not set up to handle these extra strains on all these infrastructures.

By having 2 or more apartments in a detached dwelling you are allowing a devaluing of existing properties!

Now Kenneth Sweeney and Lisa Violo are applying for a Minor Variance. It is obvious they have put the cart before the horse. From the time the owner purchased 3 Gavin Drive in August of 2019 to present, it has always been: Do what you want with no permits. If you get caught, you pay a fine and then proceed to do exactly what you want. Have Kenneth Sweeney and Lisa Violo considered how this impacts the neighbours around them and do they care?

People from the Niagara Region who grew up here, work here, spend their money here, are now losing the ability to purchase a reasonably priced home. Companies from out of the Niagara Region are buying these houses for outrageous amounts of money as they are spending investors money. They are making it impossible for local residents to own their own home and are forced to rent from these Companies!

We are concerned as 1 Gavin Drive is a home that was built as our family home in 1959. It has been in our family from 1959 to present. My wife and her siblings grew up at 1 Gavin Drive while the house was still surrounded by orchards. Our daughter owns and lives in the home at 1 Gavin Drive. 3 Gavin Drive had a similar heritage until August 2019 when it was sold. This neighbourhood has very low turnover as once a family moves here, they stay here for a long time.

We strive as parents, grandparents, and citizens of St. Catharines to have the buying power to enable future generations to purchase homes in the area and thus support St Catharines. Please do not destroy a wonderful neighbourhood that respects and follows the City's rules and have provided income for the City. We want St. Catharines to be the city we know and love.

Please display by your response that you understand our concerns and will take action to support them.
Thank you,
Robert and Barbara Gabriel
10 Abraham Drive, St. Catharines

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Minor Variance A-70/21 3 Gavin Drive St. Catharines
Date: Thursday, August 19, 2021 10:06:41 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca



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

From: Joy Mackenzie <>
Sent: Thursday, August 19, 2021 9:49 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Minor Variance A-70/21 3 Gavin Drive 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.

I am writing to protest the minor variance A-70/21 at 3 Gavin Drive. It is my understanding that no building permit was issued for 3 Gavin Drive and yet the changes were allowed to continue making 2 apartments. Also, I understand the house has been changed to 3 bathrooms, 2 kitchens and 2 laundry rooms. I know the water sewer was not set up for this and problems will result if this is allowed. Also, the hydro was not set up to handles the extra usage. There is not enough parking in the driveway to handle that amount if people living there and as a result people will have to park on the road and what will happen when there is a snow storm?

Bylaws stipulate that in a snow storm vehicles must be off the road!

I grew up on that street and it was zoned as single resident dwelling. Has something changed? I understand this meeting had been arranged quickly. why? Many people are watching this minor variance and are concerned as this will have an impact for the city in all areas. Please leave the area as single family dwelling as it was zoned. Please acknowledge when you receive this email.

Tim and Joy (Beckett) Mackenzie
I,Joy Beckett grew up at 1 GavinDrive.

Sent from my iPad



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-70/21

File: 21114657

Subject: 3 Gavin Drive

Recommendation

That Application **A-70/21** by Kenneth Sweeney and Lisa Violo, 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 following variances are required to facilitate the accessory dwelling unit:

Variance	Provision	Permitted	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m ²	73.86m ²
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	40.20%

Location and Site Description

The subject property is located on the west side of Gavin Drive, north of Goldsmith Avenue. The surrounding neighbourhood is low density residential comprised primarily of detached dwellings.

Circulation of Application

This Application was circulated to all appropriate departments and agencies to assess the proposal. This includes review from Development Engineering, Transportation, and Planning and Building Services staff to determine potential impacts regarding issues such

as traffic and parking, municipal infrastructure capacity and Ontario Building Code compliance. No objections were received following staff review.

The City received comments of opposition from eleven nearby property owners, including the property adjacent to the subject property. Comments received expressed concerns regarding potential parking congestion, municipal infrastructure capacity, potential impacts to property values, Ontario Building Code compliance, as well as opposition to rental households and multi-family dwellings.

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. Part D, Section 7.10 in the GCP supports the creation of an accessory apartment unit within a detached dwelling.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Section 4.2 of City's Zoning By-law permits an interior accessory dwelling unit within a detached dwelling in this zone. The Zoning By-law does not speak to housing tenure within the City.

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.

The applicant has proposed an accessory dwelling unit with a floor area of 73.86 square meters, which will occupy 40.20 percent of the total floor area. 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. In accordance with Section 2.2.1 of the City's Zoning By-law, the proposed interior accessory dwelling unit is located entirely within the exterior walls of the principal dwelling unit and the lot complies with all other provisions of the By-law. This includes parking and amenity space provisions. There are currently two parking spaces on the property, including the garage, which support the parking space requirements for the principal and accessory dwelling units.

Variance 1 requests an additional 13.86 square metres of floor area to accommodate the proposed accessory dwelling unit. The proposed use is permitted at this location under the City's Official Plan and Zoning By-law and the variance is considered minor in nature as it is not expected to cause adverse impacts on neighbouring properties.

Variance 2 requests a 0.20 percent increase in the maximum floor area permitted to accommodate an interior accessory dwelling unit. The purpose of the 40 percent maximum floor area is to ensure that the interior dwelling is “accessory” to the main dwelling. Given the percentage of the proposed dwelling unit is less than 50 percent of the dwelling’s total floor area, this unit is considered accessory to the principal dwelling.

The City supports the use of interior accessory dwelling units within existing detached, semi-detached and townhouse dwellings as this offers the opportunity for additional and modest housing units within a neighbourhood. The use of accessory dwelling units is supported by Section 8 of the Official Plan to provide a full range of housing opportunities, types and forms within Neighbourhood Residential designated areas of the City. The proposal to construct an accessory dwelling unit with an increase in size supports City policies to provide a range of housing for residents of varying ages, household types and income levels. Staff are satisfied that the application meets the general intent of the Official Plan and Zoning By-law.

In the opinion of staff, 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

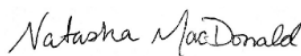
Having regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-70/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared by:



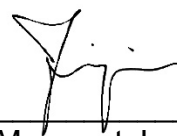
Cameron Rose
Student Planner

Submitted by:



Natasha MacDonald
Planner I

Approved by:



Margaret Josipovic
Manager Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-71/21

35 Niagara Street

DATE OF HEARING:
August 25, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: I am very concerned about the situation of 35 Niagara St – formerly a rooming house.
Date: Tuesday, August 3, 2021 2:04:18 PM

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



From: Jan Carrie Steven <>
Sent: Tuesday, August 3, 2021 10:40 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: XXXXXXXXXXXXXXX
Subject: I am very concerned about the situation of 35 Niagara St – formerly a rooming house.

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.

Elaine Munro,
Secretary-Treasurer, Committee of Adjustment
St. Catharines City Hall
905-688-5601 x 1715
emunro@stcatharines.ca

Dear Elaine Munro,

I am very concerned about the situation of 35 Niagara St – formerly a rooming house.

I am hoping it will be turned into affordable housing WITH HELP AVAILABLE for people with drug and alcohol addiction.

Very sincerely, Jan Steven

278 Vine St., #103, St. Catharines, L2M 7Z4
XXX -XXX -xxxx

Jan Carrie Steven



https://_com

Courage, my friends; 'tis not too late to build a better world.
- Tommy Douglas

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

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: 35 Niagara Street, Minor Variance A-71/21
Date: Friday, August 13, 2021 9:18:08 AM

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



From: P Clo <>
Sent: Thursday, August 12, 2021 11:33 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: 35 Niagara 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.

To the Committee of Adjustment – St. Catharines

Re: Application A-71/21 - 35 Niagara St, St. Catharines

I am writing to express my strong opposition regarding the application to renovate 35 Niagara St from a low income rooming house of approximately 20 units, into 8 apartment units; presumably at market rent or above.

As a Social Service Worker of over 10 years specializing in homelessness and addiction services, I have a thorough understanding of the issues regarding 35 Niagara St and its former tenants.

35 Niagara St has long been a low income housing option for vulnerable people living in poverty, often who have addiction and mental health issues. All of the tenants of the building were recently renovicted, which has likely already caused an increase in homelessness, public drug use, and more deeply entrenched extreme poverty and despair.

While 35 Niagara St has had many issues and is in a state of disrepair, the problems faced by the community will not be solved by evicting and pricing people out of the building/neighbourhood. This proposed decrease in low income housing units will further

solidify the homelessness in the city and will force more people into public spaces like parks and sidewalks.

As I'm sure you are aware, we are in a crisis of housing affordability which is causing extreme hardships for many of us, especially for vulnerable low income people. Real Estate speculation, investment for profit, hoarding of housing stock, and the renovation of "affordable" units into more expensive units is at the root of the deadly housing crisis we face in Niagara Region, and as a society.

Housing is a primary social determinant of health, and changes to low income housing stock like this come with broader social consequences. The cost to the community, Region, and Province, of permanently eliminating 12 low income units at 35 Niagara St will be great.

Is the new owner/investor willing to contribute to the public cost of increased homelessness, additional social services, shelter space, unnecessary police and prison costs, and increased healthcare costs related to the extreme poverty that the evictions and proposed change to the building are creating?

If the current owner is unwilling to invest in the building in a socially responsible way and restore it to a livable condition in a similar state, with a similar amount of low income units, then the building should remain vacant and be taxed until a proper investor is found. Or the city/region should expropriate it and turn it into subsidized/supportive housing for vulnerable people with addiction and mental health issues.

Much of the chaotic drug use, mental health issues, and crime in the community is directly related to the high cost of living, inadequate housing and support options, and extreme stress caused by the housing crisis. This proposed amendment and renovation will make these issues worse.

This type of profit driven, anti-social, and irresponsible development is creating poverty, homelessness, and untold suffering on a mass scale nation wide and must be stopped.

Given these considerations, I strongly urge this committee to reject this application.

Sincerely,

Patrick Clohessy

Social Service Worker – St. Catharines

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Application A-71/21 - 35 Niagara St, St. Catharines
Date: Friday, August 20, 2021 7:05:07 AM

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



From: Mark Omiecinski <>
Sent: Thursday, August 19, 2021 5:07 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Re: Application A-71/21 - 35 Niagara 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.

To the Committee of Adjustment – St. Catharines

Re: Application A-71/21 - 35 Niagara St, St. Catharines

I am an educator in the department of Sociology and Labour Studies at Brock University, and I would like to mirror the concerns of another respondent. I include them below as they have summarized the issue far better than I could have, and hope you consider them:

"I am writing to express my strong opposition regarding the application to renovate 35 Niagara St from a low income rooming house of approximately 20 units, into 8 apartment units; presumably at market rent or above.

As a Social Service Worker of over 10 years specializing in homelessness and addiction services, I have a thorough understanding of the issues regarding 35 Niagara St and its former tenants.

35 Niagara St has long been a low income housing option for vulnerable people living in poverty, often who have addiction and mental health issues. All of the tenants of the building were recently renovicted, which has likely already caused an increase in homelessness, public

drug use, and more deeply entrenched extreme poverty and despair.

While 35 Niagara St has had many issues and is in a state of disrepair, the problems faced by the community will not be solved by evicting and pricing people out of the building/neighbourhood. This proposed decrease in low income housing units will further solidify the homelessness in the city and will force more people into public spaces like parks and sidewalks.

As I'm sure you are aware, we are in a crisis of housing affordability which is causing extreme hardships for many of us, especially for vulnerable low income people. Real Estate speculation, investment for profit, hoarding of housing stock, and the renovation of "affordable" units into more expensive units is at the root of the deadly housing crisis we face in Niagara Region, and as a society.

Housing is a primary social determinant of health, and changes to low income housing stock like this come with broader social consequences. The cost to the community, Region, and Province, of permanently eliminating 20 low income units at 35 Niagara St will be great.

Is the new owner/investor willing to contribute to the public cost of increased homelessness, additional social services, shelter space, unnecessary police and prison costs, and increased healthcare costs related to the extreme poverty that the evictions and proposed change to the building are creating?

If the current owner is unwilling to invest in the building in a socially responsible way and restore it to a livable condition in a similar state, with a similar amount of low income units, then the building should remain vacant and be taxed until a proper investor is found. Or the city/region should expropriate it and turn it into subsidized/supportive housing for vulnerable people with addiction and mental health issues.

Much of the chaotic drug use, mental health issues, and crime in the community is directly related to the high cost of living, inadequate housing and support options, and extreme stress caused by the housing crisis. This proposed amendment and renovation will make these issues worse.

This type of profit driven, anti-social, and irresponsible development is creating poverty, homelessness, and untold suffering on a mass scale nation wide and must be stopped.

Given these considerations, I strongly urge this committee to reject this application."

Thank you for your time,

Mark Omiecinski - Teaching Assistant for SOCI/LABR

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



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-71/21

File: 21114672

Subject: 35 Niagara Street

Recommendation

That Variance 1 of Application **A-71/21** by Berko Holding Inc, as outlined in the Notice of Hearing, be approved, subject to the following condition:

1. That the landscape area identified on the attached site plan be maintained at its current size.

That Variance 2 of Application **A-71/21** by Berko Holding Inc, as outlined in the Notice of Hearing be denied.

Staff recommends that in lieu of the requested reduction of the minimum parking spaces from 10 spaces to eight, that a reduction from 10 spaces to five be approved, subject to the following conditions:

1. The proposed spaces be of adequate size and function, and meet the requirements set out in the City of St. Catharines Zoning By-law.
2. That a minimum of six bicycle parking spaces be provided on site.

Report The Proposal

Application **A-71/21** seeks relief from the City of St. Catharines By-law 2013-283, as amended, to accommodate the construction of two additional dwelling units in an existing six-unit apartment building. The additional units require additional parking, which the site is unable to accommodate. The proposal also seeks to recognize the reduced width of the existing landscape buffer. The table below outlines the required variances.

Variance	Provision	Required	Proposed
1	Minimum required width of the landscape buffer along a public road	3 metres	2.36 metres

2	Minimum required parking spaces	10 spaces	8 spaces
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Location and Site Description

The subject property is located on the northwest corner of Niagara Street and Church Street. The property is currently occupied by an apartment with an accessory building and is surrounded by a variety of uses. To the north and east of the property are multi-unit residential buildings. To the south is vacant land and a parkette. To the west is a commercial use. The parcel is triangular in shape and has a lot area of 754.34 square metres, a lot frontage of 30.25 metres onto Niagara Street, and is relatively flat in topography.

Circulation of Application

This Application was circulated to all appropriate departments and agencies. The City's Transportation Services Division advises that the proposed eight parking spaces are not functional and that five parking spaces may be more appropriate and functional given the site layout. No other objections were received.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Downtown on Schedule D1 of the Garden City Plan (GCP) and further designated Mixed Medium High Density Residential/Commercial on Schedule E10. The Mixed Medium High Density Residential/Commercial designation permits apartment dwellings at a density range generally between 60 and 198 units per hectare of land. The proposed density for eight units on this site is 106 units per hectare.

Zoning By-law (2013-283)

The subject property is zoned Mixed Density Mixed Use (M1). Apartment buildings are permitted in this zone.

Planning Analysis

Variance 1

The existing landscape buffer on the site is an irregular shape that becomes increasingly narrow as it stretches to the northeast. Where the landscape buffer ends adjacent to the entrance way, the width is only 2.36 metres. The zoning by-law requires a minimum width of 3 metres. Increasing the width at this location would impact the functionality of the parking area. Alternatively, the owner could increase the width of the entrance until the landscape buffer achieves the required depth. However, this would result in a loss of landscaped open space and would be counterintuitive to the intent of achieving landscaping along the front lot line. Staff find the request to recognize the existing deficiency to be minor in nature and desirable for the appropriate development of the site.

The Official Plan and Zoning By-law intend for landscape buffers to provide perimeter landscaping around sites, especially where parking areas abut the public realm. The

reduced width of the landscape buffer adjacent to the entrance is compensated for by the increased depth of the landscape buffer towards the west. At its widest, the landscape buffer is 9.41 metres in depth. As such, staff find that the variance meets the intent of the Official Plan and Zoning By-law.

Staff recommend that as a condition of approval, the front landscaped area be maintained at its current size.

Variance 2

As requested, Variance 2 seeks to reduce the parking requirement from 10 parking spaces to eight. Comments from the City's Transportation Services division indicate that the proposed layout for the eight parking spaces will not function and that five spaces may be more appropriate. Therefore, staff find that approval of the requested variance for eight parking spaces is not desirable for the appropriate development of the site.

Considering the comment from Transportation Service, staff are recommending a change to the requested variance. Instead of reducing the parking from 10 spaces to eight, staff will be recommending a reduction to five. The subject lands are in the downtown core and are proximal to a variety of commercial businesses and services. The site is also within walking distance of the downtown bus terminal and three bus routes pass directly in front of the site. The site is also proximal to roads that are part of the City's cycling network. The reduction in parking allows for additional land at the front of the property to be dedicated to landscaped open space. Given this context, staff is satisfied that a reduction from 10 parking spaces to five is minor in nature and desirable for the appropriate development of the site.

Section 5.4.2 of the Official Plan establishes policies that requests for reduction in parking need to be evaluated against. Staff find that this proposal meets those policies.

i) shared parking is possible;

Shared parking can be achieved on neighbouring sites that are also multi-unit residential or commercial. The arrangement for shared parking is a private matter that can be negotiated between the property owner, or individual vehicle owners, and neighbouring property owners.

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

The site is served by three bus routes that pass directly in front of the property. The site is within walking distance of transit stops that serve other routes, as well as the Downtown Bus Terminal.

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

The submitted site plan does not indicate where the bicycle parking will be located on the property. Staff recommend as a condition of approval a minimum of six bicycle parking spaces, the number required by the zoning by-law, be provided.

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

This policy is not applicable to this application.

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

The site has provided greater landscape open space than required in the Zoning By-law, including the landscape buffer along the front lot line that is deeper than required for much of the length.

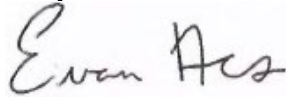
Considering these policies, staff find that the requested variance meets the intent of the Official Plan.

The intent of the minimum parking standards in the Zoning By-law is to ensure there is adequate space for vehicles on the site for residents and visitors to the building. This, in turn, reduces the impact on neighbouring properties by not overwhelming on-street parking. As demonstrated above, staff find that there are sufficient alternatives for on-site parking and car ownership. Therefore, staff find the requested variance meets the intent of the Zoning By-law.

Conclusion

With regard to matters under Section 45 of *The Planning Act*, staff find that Variance 1 of Application **A-71/21** is minor in nature, desirable for the appropriate use of the lands and meets the general intent of the official plan and zoning by-law. Staff recommend approval subject to the condition outlined in the recommendation. Staff are of the opinion that Variance 2 as requested is not desirable for the appropriate development of the lands. Staff recommend denial of Variance 2 as requested. Staff recommend approval of a decrease in the minimum required parking spaces from 10 to 5, subject to the conditions outlined in the recommendation.

Prepared and Submitted by:



Evan Acs
Planner I

Approved by:



Tami Kitay
Director, Planning and Building Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-73/21

14 Gordon Place

DATE OF HEARING:
August 25, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-73/21

File: 21114681

Subject: 14 Gordon Place

Recommendation

That Application **A-73/19** by Meghan Reeh, as outlined in the Notice of Hearing, be approved.

Report The Proposal

Application **A-73/21** seeks relief from the City of St. Catharines By-law 2013-283, as amended, to accommodate the construction of a proposed two-storey addition with an attached garage and covered porch. The required variances are outlined in the table below:

Variance	Provision	Required	Proposed
1	Attached garages to be flush with or recessed behind the main wall of the dwelling	0 metres from main wall of dwelling	1.24 metres beyond the main wall of the dwelling
2	An increase to the maximum allowable driveway width	7.5 metres	10.68 metres

Location and Site Description

The subject property is located on the southeast corner of Gordon Place and Rosemount Avenue. The property is primarily surrounded by detached dwellings and is currently occupied by a two-storey detached dwelling. The lot is 812 square metres in area and is irregularly shaped. The lot frontage is 28.1 metres, and the depth is 25.9 metres. The lot is generally flat.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E1. Detached dwellings are permitted in this designation.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are permitted in this zone with a recreational vehicle, boat, trailer and utility trailer parking area.

Planning Analysis

Variance 1 requests permission for a garage to protrude 1.24 metres beyond the corresponding wall of the dwelling unit. Garages attached to detached dwellings are permitted in the R1 zone, provided they are flush with or recessed behind the main wall of the dwelling. This request is made as a result of angling the proposed addition to make best use of the site's shape. Only a small area of the garage, approximately 1.75 square metres, will project past the main wall of the dwelling. However, the entire garage will remain behind the front of a covered porch built on the front wall of the dwelling. The surrounding neighbourhood has dwellings with garages flush with or protruding beyond the main wall of the dwelling, so the proposed garage is in keeping with the neighbourhood. Therefore, staff find the request to be minor in nature and desirable for the appropriate development of the site.

The Official Plan has no specific policies related to the placement of garages but it does have urban design policies regarding attractive streetscapes. The Zoning By-law requires a garage to remain flush with, or recessed behind, the main wall of the dwelling to ensure that the front of the dwelling and streetscape is not dominated by the garage. As stated above, only a 1.75 square metre corner of the garage of the proposed garage will protrude past the main wall of the dwelling. The remainder of the garage will be flush with or recessed behind the main wall. The frontage of the home remains accessible, and the streetscape is not dominated by the attached garage. Therefore, staff find the request to meet the intent and purpose of the Official Plan and Zoning Bylaw.

Variance 2 requests an increase to the maximum allowable driveway width from 7.5 metres to 10.68 metres. This 3.18 metre increase to the driveway width is to facilitate the creation of a recreational vehicle parking space along the southerly side of the proposed addition. The R1 zone allows for a parking stall for a recreational vehicle, boat, trailer or utility trailer. The purpose of limiting the driveway width in the Zoning By-law is to ensure that the lot frontage is not dominated by an asphalt driveway. Given the 28.1 metre lot frontage, the 10.68-metre-wide driveway represents only 38 percent of frontage. The surrounding neighbourhood consists of detached dwellings with large lot sizes. Many of these homes have larger than normal driveways with additional parking for recreational vehicles. The request to increase the driveway width is consistent with the prevailing character of the neighbourhood and is not anticipated to have a negative impact on the surrounding properties. Staff find that Variance 2 is minor in nature, desirable for the

appropriate development of the subject land and meets the general intent of the Official Plan and Zoning By-law.

Conclusion

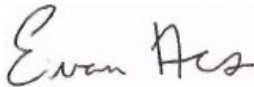
Having regard for the matters under Section 45 of *The Planning Act*, Staff are of the opinion that the variances requested through Applications **A-73/21** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate development of the land.

Prepared by:



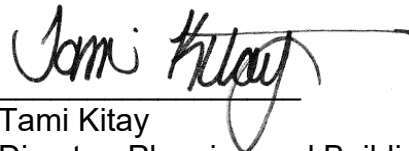
Cameron Rose
Student Planner

Submitted by:



Evan Acs
Planner I

Approved by:



Tami Kitay
Director, Planning and Building Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
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A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
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A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
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A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

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99 Dieppe Road, Minor Variance, A-76/21
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No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
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35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-21/21SC & A-74/21

494 Vine Street

DATE OF HEARING:
August 25, 2021

From: [Munro, Elaine](#)
To: [Munro, Elaine](#)
Subject: Comments Received RE: Notice of hearing 494 Vine Street
Date: Monday, August 16, 2021 10:16:36 AM

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



From: Ashley Brown <>
Sent: Sunday, August 15, 2021 7:29 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Adam Stronghill <>
Subject: Notice of hearing 494 Vine 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 Elaine,

I hope this email finds you well. We are writing to submit comments regarding the Notice of Hearing for 494 Vine Street – Amanda No. 21114767 & 21114770.

As homeowners of 2 Rosemount Ave (Lot 1), our concerns about the new build are primarily centered on a considerable reduction of privacy and security. Below are the main points:

- Proximity of the new building to existing fence line and potential damage to mature trees along said fence line during construction. Worry that damage to the roots will occur due to proximity of proposed new foundation.
- Reduced privacy/security for our backyard as proposed new kitchen and bedroom windows will directly face the backyard and back of the house. Back of our house consists primarily of large full windows in the main living space and master bedroom.
- The property owners have already removed a very large, mature tree from the lot which drastically compromised our privacy in a portion of the yard.
- Decrease in value of our property, based on proposed plan which will lead to a reduction of privacy and security.

To ease our above concerns we would like to propose the following:

- Should damage occur to existing mature trees on our property near the rear fence line, they are to be replaced with similar sized mature trees at 494 Vine Street property owner's expense.
- In regards to privacy we propose that the existing rear fence be adjusted and made taller to

the height of 7' at 494 Vine Street property owner's expense.

If you could please confirm receipt of this email and also advise if the above concerns will be addressed at the hearing on August 25th, it would be greatly appreciated.

Warm regards,
Ashley Brown & Adam Stronghill
2 Rosemount Ave

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: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-74/21
B-21/21SC

File: 21114770
21114767

Subject: 494 Vine Street (to become 492 and 494 Vine Street)

Recommendation

Consent

That application **B-21/21SC** by 1954772 Ontario Inc, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands now known as 494 Vine Street addressing the following conditions:
 - a. That building permit plans for Parts 1 and 2, once submitted, be reviewed and confirmed to be generally in accordance with the site plan and elevation plans submitted with this application;
 - b. The Lot Grading and Drainage Plan, required as a condition of consent approval, be included in the Development Agreement, to ensure compliance as part of the review and approval of a building permit.
2. That the Owner prepare a Reference Plan for review and approval by the City identifying the Part(s) along Vine Street to be dedicated to the City as Public Highway.
3. That the Owner submit and registered the reference plan to dedicate the Part(s) to the City of St. Catharines as Public Highway Vine Street.
4. That the Owner have prepared by an Ontario Land Surveyor or Professional Engineer, a Lot Drainage plan for review and approval prior to a Final Certificate being issued.
5. That the Owner pay the City to complete, on public property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
6. That the Owner complete, on private property, the relocation of any portion of a sanitary lateral and/or water service that might be necessary to ensure no service crosses an existing or future lot line, as identified through the above-noted inspection.
7. That the Owner submit a payment for the placement of a 60mm caliper tree in front of Part 2, in accordance with the City's current Schedule of Rates and Fees.
8. That the Owner submit payment of 5% of the appraised value of Part 1, as determined by a qualified appraiser, to the City in lieu of dedication of land for

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

9. That final approval of the concurrent Minor Variance application be granted.
10. That the Owner provide the Secretary-Treasurer with the Acknowledgement and Direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
11. That the Owner submit to the Secretary-Treasurer of the Committee of Adjustment a final certification fee of \$218.90 (2021 rate) payable to the Treasurer, City of St. Catharines.
12. That all conditions of consent be fulfilled by August 25, 2022.

Minor Variance

That Application **A-74/21** by 1954772 Ontario Inc, to permit a minimum lot frontage of 12.45 metres, be approved.

Report The Proposal

The Applicant proposes to sever an existing vacant parcel of land for the purpose of constructing detached dwellings on the new and retained lot. A consent to sever is required to facilitate this proposal. The retained lot requires a minor variance to address a reduced lot frontage. The requested consent and required minor variance for the retained lot are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-21/21SC	Part 2	418.5 m ²	Part 1	464.5 m ²

Variance	Provision	Required	Proposed
1 (Part 1)	Minimum lot frontage	16.5 metres	12.45 metres

Location and Site Description

The subject property is located on the east side of Vine Street, between Sunnyside Drive and Rosemount Avenue. The surrounding uses are residential with detached dwellings being the primary building type.

The subject lands are currently vacant.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E2. Detached dwellings are permitted in this designation at a density range of generally 20 to 32 units per hectare. The proposed density across the gross site is about 23 units per hectare. The proposal complies with the Low Density Residential policies of the GCP.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are permitted in this zone. The retained and severed parcels meet all lot regulations in accordance with the Zoning By-law, except for the minimum lot frontage requirement for the retained lot. Hence the necessity for the subject minor variance application.

Planning Analysis

Consent

Consent Application **B-21/21SC** seeks to sever one lot from the subject property for the purpose of constructing a detached dwelling. A detached dwelling will also be constructed on the retained lot.

Section 16.11 of the Garden City Plan provides seven policies that applications for lot creation must be evaluated against. The policies are listed below in italics with analysis and response provided under each.

1. Creation of lots shall only be effected through consent or plans of subdivision.

This policy is being met. The lot is being created through an application for consent to severance.

2. Consents to sever parts of lots as an alternative to a registered plan of subdivision will be discouraged and will only be permitted when such a plan would clearly not be needed to ensure the intent of applicable policies in this Plan are followed.

The proposed lot fronts on to an improved road with existing municipal services. A plan of subdivision is not required.

3. Consents to sever individual parcels of land, including land assembly and lot boundary adjustments will only be permitted where:

- a) It is clearly apparent that no development could take place which would lead to significant expense by the City for public works or which would lead to further development leading to such expenses.*

The proposed lot will be serviced by existing infrastructure. Any required improvements to the infrastructure, including water and wastewater laterals and service lines to the properties will be at the expense of the owner.

- b) They contribute to the infilling of areas that are already substantially developed.*

The proposed lot is on a vacant parcel of land. The surrounding area is substantially developed. The proposal is considered to be contributing to infilling.

- c) The size, shape and configuration of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.*

The proposed lot is sized appropriately and shaped to maximize the development potential of the land it is being established on. There are no other viable alternatives to development on these lands that could see an increase in units.

4. The creation of, and use, of new lots as well as remnant parcels of land created through consent, including new lots and remnant parcels created through land assembly or boundary adjustments, shall be evaluated having regard for the Urban Design policies and principles of this Plan, together with other relevant policies of this Plan.

Conditions of approval may be established, including but not limited to Development Agreements registered on title, to ensure that existing or new development/redevelopment on new lots or remnant parcels of land created through consent, including through land assembly and boundary adjustment, is in keeping with the policies of this Plan and having regard for the matters set out in Section 51 (24) of The Planning Act, as amended.

The proposed dwellings have been evaluated against the urban design policies of the Official Plan and are found to be appropriately sized and located on the lot to fit the fabric of the existing neighbourhood. The driveways and attached garages will not dominate the streetscape of the proposed dwellings. Staff recommend a development agreement be entered as a condition of consent to ensure the proposed dwellings are built in accordance with submitted plans.

5. As set out in Part C, Section 4.1.1 of this Plan, the City may consider the establishment of a Design Review Panel to provide knowledgeable guidance with respect to design matters, consistent with City Urban Design Guidelines and the policies of this Plan, and in a manner to support both the municipality and proponents in the evaluation of lot creation proposals, including land assembly and boundary adjustments, and the subsequent development and/or redevelopment of the subject lands.

The City's Design Review Panel is currently in abeyance as its mandate is under review. In its place, the City's Urban Design planner has conducted a review of the applications and is not opposed to the proposal.

6. Provisions for severing individual parcels of land within the Agriculture Area are found in the Agriculture policy section of the Plan.

The proposed lots are within the urban area and in an area designated Neighbourhood Residential. The Agricultural policies do not apply.

7. It is the general intent of this Plan to provide for the severance of land or the creation of easements for public parks, open space and trails, where such consents do not result in the creation of additional building lots.

The proposed lots do not abut parkland nor trails. No access easements are required in this application. Therefore, this policy does not apply.

The proposed lots meet the required density established in the Official Plan and the required lot area set out in the Zoning By-law. The new lot does not meet the required lot frontage for detached dwellings in the R1 zone. There is a concurrent minor variance application that seeks to remedy this deficiency, which is discussed later in this report.

Staff are supportive of approval of Consent Application **B-21/21SC**, subject to the conditions outlined in the respective recommendations herein.

Proposed Conditions

In addition to the standard conditions of consent, City staff have requested a condition to widen the Vine Street right-of-way be incorporated into the recommendations for approval of the two consent applications.

Vine Street is designated an Arterial Road on Schedule C of the GCP with a desired right-of-way width of 26 metres. The current width along this section of the road is deficient, at approximately 20 metres.

As per the Official Plan, Council is committed to achieving "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provides "safe, functional and attractive pedestrian and cycling environments". Section 5.2.3 states all existing roads shall be brought up to current standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (sewer/water, hydro, gas, telecommunications, etc.).

To be consistent with road widening requirements and standards necessary to accommodate City and private utilities and complete street initiatives, staff are recommending as a condition that a strip of land of 3 metres in width across the frontage of the subject property be dedicated as Public Highway Vine Street to obtain half of the additional requirements necessary to ultimately achieve the desired road allowance width of 26 metres. The applicants are aware of this requirement.

Variance

Variance application **A-74/21** requests a decrease of the minimum lot frontage from 16.5 metres to 12.45 metres. The request is made to facilitate the concurrent severance application B-21/21SC, which requests the severance of Part 2 from the existing lot. The applicant is requesting a reduction in the required frontage on the retained lot (Part 1) from 16.5 metres to 12.45 metres. Approval of this variance will permit the creation of one new lot and the construction of two new detached dwellings. The applicant has demonstrated that a detached dwelling can be constructed on this proposed lot and meet the required side yard setbacks, provide one parking space and outdoor amenity area. Staff find that the requested reduction in lot frontage is minor in nature.

The subject land is between two dwellings that front onto side streets off Vine Street, meaning the new and retained lot will be flanked by exterior lot lines. There is no established lot width that needs to be met in this application for consistency with neighbouring lots. As demonstrated above, the proposed dwelling, parking area and amenity space can be provided on the lot without further variances. Staff find that this variance is desirable for the appropriate development of the lands.

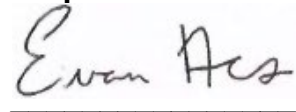
The intent of a minimum lot frontage is to regulate lot size and density, provide context for consistent lot sizes and maintain neighbourhood character. The proposed lot frontage reductions from 16.5 metres to 12.45 metres still achieves this intent. Despite the reduced width, the lots are still within the size range permitted in the R1 zone and meet density requirements. While the proposed lot use is narrower than those found in the surrounding neighbourhood, the proposed single-storey detached dwelling is a common building type. Consistency with the surrounding properties will be maintained by the use and dwelling type. The applicant has demonstrated that the lots are still capable of accommodating detached dwellings without the need to reduce the minimum side yard setback. Staff are satisfied that the sought reductions meet the intent of the Official Plan and Zoning By-law.

Conclusion

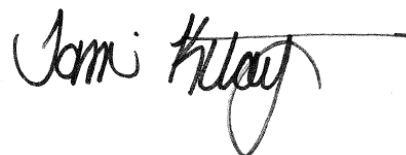
Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-21/21SC** meets the intent and purpose of the Official Plan and Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent be approved subject to the conditions listed in the recommendation. The applicant will have one year from the date notice was given to clear the conditions of consent.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Application **A-74/21** is keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the lands. Staff recommend that the application be approved.

Prepared and Submitted by:

A handwritten signature in black ink, appearing to read "Evan Acs", written over a horizontal line.

Approved by:

A handwritten signature in black ink, appearing to read "Jami Hickey", written over a horizontal line.

Evan Acs
Planner I

Tami Kitay
Director, Planning and Building Services

August 11, 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 114767 & 21 114770

Re: 494 Vine St

In response to your correspondence dated August 3, 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:

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

We would also like to stipulate the following:

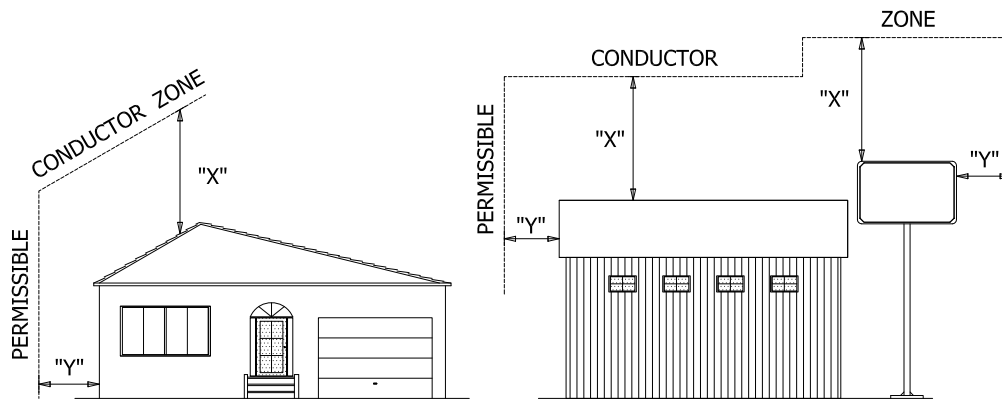
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's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

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



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

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

* - INCLUDES MULTI-GROUNDED NEUTRALS

NOTES:

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



Memorandum

To: Elaine Munro, 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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – August 25, 2021 hearing

B-20/21SC – 99 Dieppe Road

Comment:

- No comment

Condition:

- No comment

B-21/21SC – 494 Vine Street

Comment:

- Be advised that a building permit is required for the proposed single detached dwellings on each new lot.

Condition:

- No comment

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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

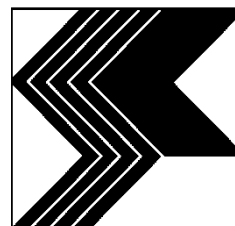
11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
If Planning and Building Services determines that parkland dedication can be collected for this application PRCS requests the following condition of severance:
That payment of 5% of the appraised value 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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-21-21SC



August 10th, 2021

ENGINEERING FILE 300-36

Hearing Date: August 25th, 2021

Applicant: 1954772 Ontario Inc. (Leo Di Fabio)

Location: 494 Vine Street

Existing Road Allowance Width: 20m±

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

Comments:

General

It is noted that the owner wishes to demolish the existing house and create one new lot, resulting in a total of two lots.

Roads and Sidewalks

Vine Street is designated as an Arterial Road in the City's Official Plan. It is recommended that Arterial Roads have a right-of-way (ROW) width of 26m. The present ROW width of Vine Street at this location is only 20m. If this severance is granted it should be conditional on the owner dedicating a 3.0m road widening across the frontage of the lands. All costs associated with this shall be the owner's responsibility.

A sidewalk exists across the frontage of this property. A sidewalk damage deposit will be taken at the building permit stage.

Linear Municipal Services

Linear municipal services are of no major concern however, one new sanitary lateral, two new water services, and two new storm laterals will be required. The owner will be must pay the City to have the servicing and related works completed by City crews. Payment for the services will be required at the Building Permit stage.

Grading and Drainage

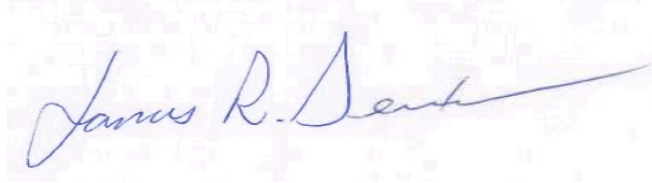
Prior to finalizing this severance, the owner must submit and have approved by the City, a site grading plan which will outline how run-off from the new lots will be handled without negatively impacting existing neighbouring properties.

Conditions:

If this application is approved it shall be subject to the following conditions which must be met prior to finalization of the severance.

- The owner shall dedicate free and clear to the City a 3.0m road widening across the frontage of the subject lands.

- All costs associated with the dedication of the road widening shall be paid for by the owner.
- The owner must submit and have approved by the City, a site grading plan which will outline how run-off from the new lots will be handled without negatively impacting existing neighbouring properties.



Prepared By:

James R Denham, P.Eng.
Development Engineering Technologist



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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-75/21

48 Garnet Street

DATE OF HEARING:
August 25, 2021



Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: August 20, 2021

Date of Meeting: August 25, 2021

Report Number: A-75/21

File: 21114730

Subject: 48 Garnet Street

Recommendation

That Application **A-75/21** by Beverly Jane Garvie, as outlined in the Notice of Hearing, be approved.

Report The Proposal

The Applicant proposes to build an accessory dwelling unit on the main floor of an existing detached dwelling. The proposed accessory dwelling unit is larger than permitted in the City's Zoning By-law. The following variances are required to facilitate the accessory dwelling unit:

Variance	Provision	Permitted	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m ²	88m ²

Location and Site Description

The subject property is located on the south side of Garnet Street, east of Niagara Street. The property is currently occupied by a detached dwelling. The surrounding neighbourhood is low density residential and comprised primarily of detached dwellings, with a semi-detached dwelling located adjacent to the subject property.

Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. The City did not received comments from members of the public regarding this proposal.

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. Part D, Section 7.10 in the GCP supports the creation of an accessory apartment unit within a detached dwelling.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Section 4.2 of City's Zoning By-law permits an interior accessory dwelling unit within a detached dwelling 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.

The applicant has proposed an accessory dwelling unit located on the main floor of an existing detached dwelling with a floor area of 88 square metres. 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. In accordance with Section 2.2.1 of the City's Zoning By-law, the proposed interior accessory dwelling unit is located entirely within the exterior walls of the principal dwelling unit. The Zoning By-law does not state on which floor an interior accessory dwelling unit must be located. There are currently two parking spaces on the property, including the garage, which support the parking space requirements for the principal and accessory dwelling units.

The applicant is requesting an additional 28 square metres of floor area to accommodate the proposed accessory dwelling unit. The proposed use is permitted at this location under the City's Official Plan and Zoning By-law and the variance is considered minor in nature as it is not expected to cause adverse impacts on neighbouring properties.

The provisions of maximum floor area of an accessory dwelling unit and maximum floor area as a percentage of the dwelling are to ensure that the interior dwelling unit is "accessory" to the main dwelling. The percentage of the proposed dwelling unit is 28.30 percent, considerably less than 50 percent of the dwelling's total floor area, thus this unit is considered accessory to the principal dwelling.

The City supports the use of interior accessory dwelling units within existing detached, semi-detached and townhouse dwellings as this offers the opportunity for additional and modest housing units within a neighbourhood. The use of accessory dwelling units is

supported by Section 8 of the Official Plan to provide a full range of housing opportunities, types and forms within Neighbourhood Residential designated areas of the City. The proposal to construct an accessory dwelling unit with an increase in size supports City policies to provide a range of housing for residents of varying ages, household types and income levels. Staff are satisfied that the application meets the general intent of the Official Plan and Zoning By-law.

In the opinion of staff, 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

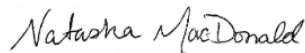
Having regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-75/21** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared by:



Cameron Rose
Student Planner

Submitted by:



Natasha MacDonald
Planner I

Approved by:



Margaret Josipovic
Manager Planning Services



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: August 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – August 25, 2021 hearing

NO.	ADDRESS	COMMENTS
A-59/19	109 Martindale Road	Be advised that a building permit is required for the proposed second storey addition.
A-58/21	47 Hastings Road	Be advised that a building permit is required for the proposed 54 unit apartment building.
A-65/21	31-33 Brock Street	Be advised that a building permit is required for the proposed covered front porch, the reconfigured deck, the new addition and new carport.
A-66/21	403 Vine Street	Be advised that a building permit is required to renovate the existing garage to a mixed use office/retail building.
A-67/21	4 Ameer Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-69/21	15 Lora Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-70/21	3 Gavin Drive	Be advised that a building permit is required for the proposed accessory dwelling unit.

NO.	ADDRESS	COMMENTS
A-71/21	35 Niagara Street	Be advised that a building permit is required to renovate the existing building.
A-73/21	14 Gordon Place	Be advised that a building permit is required for the proposed 2 storey addition with attached garage and covered porch.
A-76/21	99 Dieppe Road	No comment
A-74/21	494 Vine Street	Be advised that a building permit is required for the proposed single detached dwellings on each new lot. Note: the existing demolition permit (20115228RN) is to be completed
A-75/21	48 Garnet Street	Be advised that a building permit is required for the proposed accessory dwelling unit.

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: August 6, 2021
Subject: Committee of Adjustment Hearing – August 26, 2021

CRCS has reviewed the Committee of Adjustment application for the hearing of August 26, 2021 and provides the following comments.

1. 109 Martindale Road, Minor Variance, A-59/19
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
2. 47 Hastings Street, Minor Variance, A-58/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
3. 31 Brock Street, Minor Variance, A-65/21
No comment.
4. 99 Dieppe Road, Consent, B-20/21SC
99 Dieppe Road, Minor Variance, A-76/21
No comment.
5. 403 Vine Street, Minor Variance, A-66/21
Landscape design will be addressed though the site plan agreement. No objection to the requested variances.
6. 4 Ameer Drive, Minor Variance, A-67/21
No comment.
7. 15 Lora Street. Minor Variance, A-69/21
No comment.
8. 3 Gavin Drive, Minor Variance, A-70/21
No comment.
9. 35 Niagara Street, Minor Variance, A-71/21

No objection to the requested reduction to accommodate a pinch point at the entry.

10. 14 Gordon Place, Minor Variance, A-73/21
No comment.

11. 494 Vine Street, Consent, B-21/21SC – 21114767
494 Vine Street, Minor Variance, A-74/21 – 21114770
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.

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.

12. 48 Garnet Street, Minor Variance, A-75/21
No comment.

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



Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: Jim Denham, P.Eng. Development Engineering Technologist
CC: City Committee of Adjustment Staff Members
Date: August 10th, 2021
Hearing Date: August 25th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**
109 Martindale Road, A-59/19SC
47 Hastings Street, A-58/21SC
31 Brock Street, A-65/21SC
99 Dieppe Road, A-76/21SC
403 Vine Street, A-66/21SC
4 Ameer Drive, A-67/21SC
15 Lora Street, A-69/21SC
3 Gavin Drive, A-70/21SC
35 Niagara Street, A-71/21SC
14 Gordon Place, A-73/21SC
494 Vine Street, A-74/21SC
48 Garnet Street, A-75/21SC

Development Engineering have reviewed the above applications and have no comments or objections to the above applications that are currently under our review through a Planning process however, applicants shall be advised that a Lot Grading Plan shall be a requirement for applications that are subject to a Building Permit for exterior works.

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

cc. Brad Johnston (email only)

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: August 6, 2021

Subject: Committee of Adjustment Comments (August 25, 2021 Hearing)

Upon review of the applications, we offer the following comments:

A-071/21 – 35 Niagara Street

Based on the proposed parking layout, it doesn't appear that there is sufficient space to accommodate the 8 parking spaces being proposed by the applicant. At a minimum, spaces numbered 5 and 6 should be eliminated. Spaces number 4 and one of spaces number 7 and 8 are questionable.

No concerns or requirements with the remaining applications.

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