Agenda

Wednesday, October 20, 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 September 20, 2021 before 3:00 p.m. Comments submitted will be considered as public information and entered into public record.

Members:

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

Staff Liaison:

Elaine Munro, Secretary-Treasurer
Wilrik Banda, Assistant Secretary-Treasurer
Evan Acs, Planner
Taya Devlin, Planner
Natasha MacDonald, 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 – September 22, 2021**

6. **Declarations of Interest**

7. **Request for Adjournment**

8. **Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
4. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
5. *45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
6. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
7. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   51 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
8. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
9. *186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
   190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
   186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270

* Planning Reports for Item #5 – 45 Lakeshore Road and for Item #9 – 186 Oakdale Avenue will be available by Monday.

9. **New Business**

10. **Date of next meeting**
    Wednesday November 17, 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-86/21

80 Duncan Drive

DATE OF HEARING:
October 20, 2021

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **A-86/21** **File:** **21116870**

Subject: 80 Duncan Drive

Recommendation

That Application **A-86/21** by Cassandra Law and James Law, as outlined in the Notice of Hearing, be approved.

Report

Background

The existing one-storey detached dwelling located on the subject property was built in 1956. The zoning for these lands at that time was R1B (First Density Residential), which permitted residential uses including a detached dwelling and accessory structures. In adopting the City's new Comprehensive Zoning By-law in 2013, the City rezoned approximately the westerly one-third of the property to a new (and now current) Low Density Residential -Suburban Neighbourhood (R1) zone, and the other two-thirds of the property to a Conservation/Natural Area (G1) zone in order to recognize the existing watercourse to the rear of the property and the potential outer limits of the associated floodplain which is within the NPCA Natural Environment Screening Area. The G1 zoned lands cover a portion of the existing detached dwelling, garage and shed on the property. Given the use legally existed prior to the approval of the City's current Zoning By-law in 2013, it is considered legal non-conforming under Section 2.16 of the Zoning By-law.

The Proposal

The Applicant proposes to permit the extension of a legal non-conforming use to construct a second-floor addition to the existing one-story detached dwelling, a rear yard deck and new shed, all of which are located entirely or partially within the limits of the G1 zone on the property.

Location and Site Description

The subject property is located on the east side of Duncan Drive, south of Parnell Road. The surrounding neighbourhood is primarily low density residential comprised of detached dwellings, with a public elementary school on the west side of Duncan Drive. The lots on the east side of Duncan Drive north of the subject property have split-zoning

regulations, similar to the subject property. The property to the north is currently a two-storey detached dwelling, similar to what is proposed. The lands immediately to the south and east of the property are vacant and zoned Conservation/Natural Area (G1).

Circulation of Application

This Application was circulated to all appropriate departments and agencies, including the Niagara Peninsula Conservation Authority. There are no objections to the proposal.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is split between two land uses set out by the Official Plan. Most of the front portion of the property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E2.

The rear portion of the property is designated Natural Areas on Schedule D1 and E2 of the GCP. Lands designated Natural Areas permit legally existing uses, passive recreation features, conservation management and essential public uses.

Zoning By-law (2013-283)

The subject property currently holds split-zoning regulations. Most of the front portion of the property is zoned Low Density Residential - Suburban Residential (R1), which permits a variety of residential uses, including detached dwellings and accessory structures.

The rear portion of the property is zoned Conservation/Natural Area (G1), which permits conservation and natural area uses and includes boat ramps, essential operations, trails and picnic areas. However, as stated, the existing detached dwelling located within the G1 zone is recognized as a legal non-conforming use.

Planning Analysis

The Applicant is requesting to extend the existing legal non-conforming use of a detached dwelling to permit the construction of a second-floor addition, rear yard deck and shed. The proposed second-floor addition would not result in a larger building footprint than currently exists. The proposed rear yard deck is unenclosed, and the proposed shed would not extend into the G1 zone beyond the existing detached dwelling and garage.

The subject property is currently split-zoned, with residential uses restricted within the G1 zone portion of the property. As a legal non-conforming use, it is not subject to current Zoning By-law requirements. However, the proposal meets the requirements of the Zoning By-law by satisfying Section 2.16 Non-Conforming Uses, and if zoned Low Density Residential – Suburban Neighbourhood (R1) in its entirety, would satisfy the yard and height provisions of the R1 zone.

The proposed second floor expansion to the existing detached dwelling and addition of accessory structures has been assessed by the NPCA and it is not anticipated to cause negative impacts to the floodplain area or jeopardize the use of the property for residential use given the location of the adjacent floodplain. As such, staff are satisfied that the proposal meets the general intent of the Official Plan to support the expansion of a legal non-conforming use.

Staff find the Application is considered minor in nature, is desirable for the appropriate use of the lands, and meets the general intent of the Zoning By-law and the Official Plan.

Conclusion

Having regard for the matters under Section 45(2)(a) of the *Planning Act*, staff are of the opinion that Application **A-86/21** 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 to extend the legal non-conforming use.

Prepared by:	**Submitted by:**	**Approved by:**
Adam Nanji Student Planner	Natasha MacDonald Planner I	Bruce Bellows Senior Planner

NIAGARA PENINSULA CONSERVATION AUTHORITY

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

October 5, 2021

Our File No.: PLMV202101368

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 for Minor Variance
A-86/21

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 extend the legal non-conforming to a second-floor addition, shed, and rear yard deck. The existing dwelling is a use that legally existed prior to the approval of the current zoning by-law.

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 Regulation155/06 and The Planning Act.* (NPCA policies) provides direction for managing NPCA regulated features.

NPCA Mapping indicates the subject lands are impacted by the floodplain of Spring Garden Creek. The floodplain elevation for this section of watercourse is 87.18 metres GSC. Upon review of the provided documentation, the existing dwelling and proposed second storey addition will remain above the flood elevation. Furthermore, the proposed shed and deck will also remain above the floodplain limits. It should be of note to the applicant that should future works be proposed in the sections of this property impacted by the floodplain, supporting documentation (including but not limited) to Topographic Surveys, Environmental Impact Studies, may be required based on the scope of works proposed.

Conclusion:

Given the above, please be advised the NPCA offers no objections to the approval of this application, A-86/21. As the property is impacted by NPCA regulated areas, all future proposals for development or site alterations will need to be circulated to the NPCA for review and approval. Permission from this Office (ie: works permits or clearance letters) will be required prior to the commencement or works on site to ensure compliance with the NPCA's policies, should future works be supported under policy.

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 Ontario Land Tribunal (OLT), please send notice of any Case Management Conference.

Yours truly,

Taran Lennard
Watershed Planner
(905) 788-3135, ext. 277
tlennard@npca.ca

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

A-87/21

81 Vine Street South

DATE OF HEARING: October 20, 2021

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **A-87/21** **File:** **21117010**

Subject: 81 Vine Street South

Recommendation

That Application **A-87/21** by Craig Cordiner, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant is seeking relief from the City of St. Catharines' Zoning By-law 2013-283 to recognize the lack of on-site parking for the existing detached dwelling, and requesting no on-site parking provision for a proposed interior accessory dwelling unit. The dimensions of the existing parking area on the site does not meet the minimum parking space dimensions of the Zoning By-law. The following variance is required to facilitate the proposal:

Variance	Provision	Required	Proposed
1	Minimum number of required parking spaces (1 space per dwelling unit)	2	0

Location and Site Description

The subject property is located on the west side of Vine Street South, north of Queenston Street and south of Welland Avenue. The surrounding neighbourhood is primarily low density residential to the north, south and west, comprising of a mix of detached dwellings, semi-detached dwellings and a low-rise apartment building. Employment lands comprising of outdoor storage and automotive services are located to the east of the subject property.

Circulation of Application

This Application was circulated to all appropriate departments and agencies. There are no objections to the 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 E5. 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 2.2.1 of the City's Zoning By-law permits an interior accessory dwelling unit within a detached dwelling.

Planning Analysis

The applicant is requesting a reduction in the number of parking spaces required for an existing detached dwelling and proposed accessory dwelling unit. Given the existing location of the detached dwelling and front yard setback of 3.86m, the subject property is unable to provide parking spaces for any vehicles in compliance with the minimum parking space dimensions established in the Zoning By-law. On-street parking is not available along Vine Street South. However, on-street parking is available within close proximity to the subject property on Seneca Street and Erie Street. This subject property is serviced by two transit routes that are well connected to the City road grid, with bus stops located within 500m along Welland Avenue and Queenston Street. Queenston Street is also identified as a Strategic Cycling Network in Schedule E2 of the Niagara Region Official Plan, with a portion of the bicycle lane existing today, further increasing connectivity within the City via modes of active transportation. The existing detached dwelling does not have a parking space and the addition of one accessory dwelling unit without a parking space is not anticipated to cause adverse impacts to the surrounding area. Staff find the Application to be minor in nature.

There are surrounding residential properties with similar lot sizes and lot coverage, which also do not provide parking spaces that meet the City's current standards. Given the availability of on-street parking nearby, proximity to transit routes and amenities, staff find this proposal to be desirable for the appropriate use of the lands.

Policy 5.4.2 of the Official Plan states the City will consider the reduction or elimination of vehicular parking requirements where some of these factors may apply:

i) Shared parking is possible;
ii) Transit is readily available or where transit facilities are provided;
iii) Bicycle parking facilities, or community facilities are provided;
iv) Land, beyond minimum requirements, is dedicated for safe active transportation facilities and connectivity;
v) Land, beyond minimum requirements, is dedicated for greening and landscaping initiatives.

The subject property is located within close proximity to two streets that allow on-street parking, there are transit stops within walking distance, and there is access to cycling routes. Given the lot size and existing dwelling, the subject property is unable to provide parking spaces on- site. Therefore, staff find the variance to be in keeping with the general intent of the Official Plan.

The Zoning By-law currently requires a minimum of one parking space per dwelling unit for detached and accessory dwelling units. The City requires that parking spaces have a minimum dimension of 5.2m deep by 2.6m wide. The parking space requirements are intended to provide adequate space for entering and exiting from vehicles while ensuring safety for nearby pedestrians, passing vehicles and proximity to adjacent lots. The existing paved front yard of the dwelling is unable to safely store vehicles on the property and the City has no intention to reduce required parking space dimensions for this or any lot. The existing dwelling was built prior to the City's current Zoning By-law and as a result is unable to meet these requirements.

Given the existing and historical smaller and narrower lot fabric pattern in the neighbourhood, the accessibility to City bus transit routes, and the opportunity to create affordable housing in a location immediately adjacent to a large employment area to the east, and in relatively close walkable proximity to mixed use corridors along Welland Avenue and Queenston Street to the north and south, it is the opinion of staff that the proposed variance is appropriate given locational context, and supports many of the initiatives identified in Official Plan policy.

Conclusion

Having regard to matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-87/21** is in keeping with the general intent of the Official Plan, is minor in nature and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

Prepared by:	**Submitted by:**	**Approved by:**
Adam Nanji Student Planner	Natasha MacDonald Planner I	Bruce Bellows Senior Planner

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

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   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

A-88/21

617 Vine Street

DATE OF HEARING: October 20, 2021

October 7th,2021

Elaine Munro, Secretary-Treasurer

Committee of Adjustment, City Hall

Re: Minor Variance Application: Amanda # 21117074 Sub. # A-88/21

617 Vine Street, St.Catharines Lot 131 , Plan 268

I have been a resident of the City of St.Catharines for some 86 yrs and my wife and I have owned the property at 623 Vine Street St. Catharines for the past 65 years.

We have taken pride in our property as all of our neighbours have. It is a close knit community who look after each other with a number of property owners being retired.

The resident at 617 Vine Street who was a widow was a longtime resident and only due to health issues gave up her home. With the sale of the house we were looking to welcome the new owner to our community.

It now appears that this (Single Family Dwelling) has been purchased and to be converted into a (Boarding House) for Commercial use as rental property. The construction of three bedrooms on the main floor and three in the basement indicates that there will be six tenants. The green space at the rear of the house is to be converted into a parking lot to accommodate the tenants.

There is no indication that the owners intends to live on the property. It appears that they live outside the community and their only interest in the purchase of the property is for financial gain.

The tenants I am sure will have no financial interest in the property only paying rent which will leaves the surrounding property owners at their mercy. The 90

year old property owner who live next to the north side of the property and the driveway will be subject to constant follow of traffic to and from the parking lot at the rear of the property. This area of Vine Street is already suffers from heavy traffic flow making it difficult to enter and exit from a driveway.

This Commercial type of houses has no place in this community it is not compatible and will only decrease the value of the properties that people have worked so hard to maintain.

Frank H. Parkhouse

[redacted]

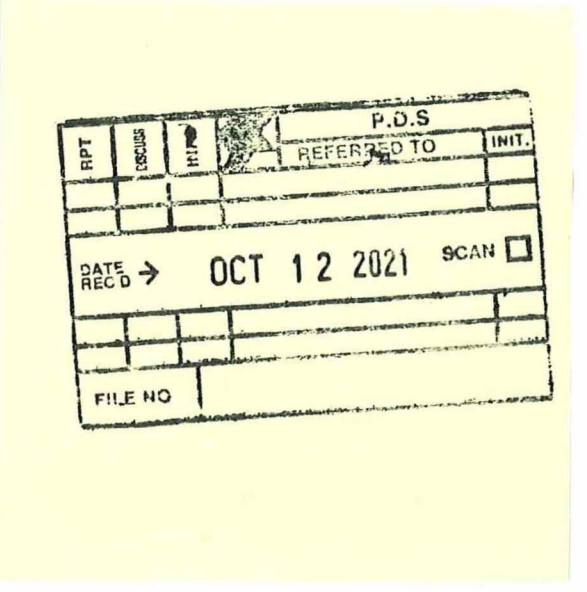
Ivy May Parkhouse

[redacted]

Donald Capell

[redacted]

619 Vine Street, St.Catharines



Tuesday October 12th, 2021

Attention Elaine Munro

ACST, Secretary Treasurer

This petition is in regard to Submission No. A-88/21

Amanda No. 21117074

The location of the Application is 617 Vine Street Lot 131, Plan 268

We as a neighbourhood would like our voices heard, we are against the proposed Minor Variance being requested by Arghavan Modiri and Iman Faraji.

This neighbourhood is zoned R1 Low Density Residential Suburban.

We are all long-time taxpayers in this neighbourhood, and we already put up with many cars speeding from the stop lights at lakeshore Road to the 4 way stop at Parnell Street.

We have many Seniors and Children in our area as well as a school. There are no sidewalks on the west side of Vine Street nor is there parking due to a bicycle path. We also have some residents with Disabilities.

This neighbourhood is full of long-time owners who want this to be their forever home and retire here not in a retirement home. Our properties are all well maintained.

The sale at 617 Vine Street closed on Sept 1st, 2021. The new owners came from Toronto on the weekend of September 3rd, 2021. Since that weekend the owners have not been back to the property and the neighbours on both sides, Dan Doucet and Don Capell have been maintaining it (cutting the lawn and removing the large limbs that keep falling from the tree) If it wasn't for these 2 neighbours the lawn would be overgrown and tree limbs would be everywhere.

The minor variance the homeowners are asking for is going to put this house with 6 bedrooms instead of it's current 3 bedroom. This tells us they are looking to rent the rooms out; this is not conducive of our neighbourhood. The added traffic of the renters' vehicles will cause even more congestion on our busy street.

This house as a student rental will disrupt this entire neighbourhood, from the noise of the students and their parties to the security of the students roaming around. The garbage that will be generated when we are on a biweekly garbage pick up.

The homeowners living In Toronto and using this property as a rental, who is going to keep the property clean and tidy? Who is going to cut the lawn and look after the gardens? The homeowners haven't been doing this since Sept 1st we as the neighbours have.

This type of rental is going to lower all our property values, the properties we all take such pride in and work so hard to maintain.

Our neighbourhood has seen enough break ins in the last 6 months and by turning this house into a rental will continue to attract that type of activity.

The previous homeowner due to health issues needed to move to a nursing home which resulted in the sale of her home. The new homeowners are wanting to increase the maximum interior of the dwelling floor space however the bedrooms are all very small in size which also points to this being used as student room rental not Family living.

Please find attached all the signatures, addresses and phone numbers of the homeowners in the neighbourhood.

We are all against this proposal.

Sincerely,

Karen Doucet 615 Vine Street

St Catharines, Ontario

[redacted]

Spokesperson for the Neighbourhood.

Tuesday Oct 12th, 2021

Donald B Capell
[redacted]
619 Vine St

Marcie & Joe Cotoia
622 Vine
[redacted]

STEPHANIE & SCOTT MCMINN-FORREST
626 VINE ST.
[redacted]

JIM KULCHAR
[redacted]
200 LAKESHOR RD
[redacted]

Frank H. Packhouse
[redacted]
623 Vine ST
[redacted]

Karen & Dan Doucet
615 Vine Street
ST Catharines Ont
[redacted]

Tuesday Oct 12, 2021

Name Thomas Iggulden

Address 613 Vine St

Phone Number [redacted]

Signature [redacted]

Name K W Hogarth

Address 616 Vine St

Phone Number [redacted]

Signature [redacted]

Name BEN HOLLINGSHEAD

Address 624 VINE

Phone Number [redacted]

Signature [redacted]

Tuesday Oct 12, 2021

Name Annette Janzen

Address 612 Vine St.

Phone Numbe [redacted]

Signature [redacted]

Name MARIA & HENRY JACH

Address 614 VINE St.

Phone Number [redacted]

Signature [redacted]

Name SEAN O'NEILL

Address 618 VINE St

Phone Number [redacted]

Signature [redacted]

From: Munro, Elaine
To: Munro, Elaine
Subject: Receipt of Comments RE: Opposition Letter for Minor Variance of 617 Vine Street, St. Catharines
Date: Wednesday, October 13, 2021 1:26:48 PM

Elaine Munro ACST

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

From: Stephanie Forrest <.>
Sent: Tuesday, October 12, 2021 9:23 PM
To: Munro, Elaine <emunro@stcatharines.ca>; chris.bittle@parl.gc.ca; Dodge, Dawn <ddodge@stcatharines.ca>; Phillips, Bill <bphillips@stcatharines.ca>
Subject: Opposition Letter for Minor Variance of 617 Vine Street, 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 Whom It May Concern,

This letter is regarding the Minor Variance application for 617 Vine Street.

We live down the street at 626 Vine Street. We are a younger couple, newly married with a new baby. This is our first home and we took the process of choosing our forever home very carefully. We chose the home we are in not only because we loved it, but also because of this neighbourhood. It is a mature neighbourhood that is quiet, most homeowners have been here for 20+ years, there is pride of ownership everywhere you look and it is safe to raise a family in. This neighbourhood is not suited for a 6 unit rental house. It goes completely against everything this area is and has been for many years (zoned R1 for low density - and it is zoned this way for many blocks in the surrounding areas) and why this area is so sought after. There are many elderly people that live in this area, as well as young children. A single house having 6 students in it will not only increase the noise in this quiet and mature area, but also decrease the safety.

We hope that you will reconsider allowing this minor variance to go through. We as a neighbourhood and community do not see it as minor.

Thank you for your time,
Stephanie and Scott McMinn-Forrest

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From: Munro, Elaine
To: Munro, Elaine
Subject: Comments Received RE: Amanda no. 21117074 Submission No.A-88/21 - 617 Vine Street
Date: Wednesday, October 13, 2021 2:44:01 PM

Elaine Munro ACST

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

From: Sean O'Neill < >
Sent: Wednesday, October 13, 2021 12:56 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: chris.bittle@parl.gc.ca; Dodge, Dawn <ddodge@stcatharines.ca>; bcphillips@stcatharines.ca
Subject: Fw: Amanda no. 21117074 Submission No.A-88/21

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Good afternoon,

I am emailing regarding the above subject matter.

I am a resident of 618 Vine St. L2M3V5 and live directly across the street from 617 Vine St and have lived here for 15years+ and my wife has lived here for 20years+.

We have raised a family here and have enjoyed a quiet community minded neighbourhood for many years.

We are very proud grandparents of 2 young girls aged 1 and 3.

We currently have my wife's elderly (83 years young) mother living with us as she works through the struggles of dementia.

We have our 21-year-old daughter living with us currently as she has returned from school and currently working locally.

We have developed wonderful relationships with many of our neighbours and have enjoyed a community who helps and watches out for one another.

Many of our neighbours are varying in age from young families to retired families who have lived in this neighbourhood from many years, some generations.

It was sad to see my neighbour June Melmo at 617 Vine St. have her health force her to sell the home she lived in for many years.

What is even sadder was finding out the house was sold to a faceless investor who intends to turns this home into a multi resident home.

To find out she was only shown the lowest offer and highest offer suggests the realtor may have had a vested interest in the investors business and not as much in the owner.

It is my understanding one of our neighbours was interested in the house for their daughter and her future, what a great story that would have been.

There are numerous concerns with this request;

1. This is a high traffic area already, adding this many residents to a house this size seems like they are more worried about how many people they can charge vs the disruption and potential risk it will bring due to adding up to 10 cars. What will happen when they are jamming up the street moving cars or what risk will it pose to our elderly neighbour and or the young children in our neighbourhood?
2. Absent Landlord - all of us in this neighborhood put in much effort and care taking care of our homes. I have not once seen anyone from this ownership taking care of the property since they acquired it. If it wasn't for the surrounding neighbours, we would have seen much overgrowth that could lead to increased tick, mosquitos, vermin etc.
3. Garbage and Recycling - how will the absent landlord ensure garbage and recycling is taken care of properly. With that many people in the house and bi-weekly garbage this could quickly become an issue from a noxious odour perspective up to and including inviting unwanted pests into the area i.e. rats, mice, possums, raccoons' skunks etc.
4. If they choose to rent this home to students, how will the absent landlord prevent events from happening like the nuisance ones that happen all around the Glendale/Glenridge area.
5. These types of investors are driving up the cost of property and taxes unnecessarily all over our beautiful city and making it more and more difficult for young families to find affordable housing.
6. Their drawings indicate they are making this home into a duplex, is that part of the variance request? If not, what permits do, they have to support the creation of a duplex?
7. What about fire code? How will they ensure the safety of the residents?

8. We have an elementary school and high school in close proximity, how will they ensure they protect the innocent from possible predatory people or other unsavoury people.
9.

I hope this variance is not approved as it will impact some many long-term residences both elderly, retired, young and the old alike. Please help save our neighbourhood from these ongoing faceless investors.

Sincerely,

Sean O'Neill/Guylaine Gauvin
618 Vine St.
St. Catharines
L2M 3V5
XXX-XXX-XXXX

Click here to report this email as spam.

From:	Munro, Elaine
To:	Munro, Elaine
Subject:	Receipt of Comments RE: Application A-88/21 - 617 Vine Street
Date:	Thursday, October 14, 2021 8:42:56 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca

From: Susan Erskine-Fournier <

Sent: Wednesday, October 13, 2021 9:25 PM

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

Cc: chris.bittle@parl.gc.ca; bcphillips@stcatharines.ca; Dodge, Dawn <ddodge@stcatharines.ca>

Subject: Application A-88/21

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To the Secretary-Treasurer,

Please note the following concerns regarding Lot 131, Plan 268 (617 Vine Street).

I have many concerns regarding the application proposed by Arghavan Modiri and Iman Farajl. I have resided at 620 Vine St, St. Catharines, for 35 years. My property is adjacent to 617 Vine Street. The proposal to increase the interior accessory dwelling to nearly 50% of the original living space will, if accepted, be precedent setting and will change the landscape of our neighbourhood.

We are in proximity to many elementary and secondary schools but are not close to any post secondary schools. The intention of this proposal has not been discussed with us as neighbours. For the most part, we are second and third generation families who have been living here since our homes were built with the hopes that our own children will buy property here in the neighbourhood and continue the rich tradition that currently exists.

This proposal, seems to me, to be a for-profit adventure for landlords who will not be present to care for the property. Understanding that affordable housing is sorely needed in our city, I feel confident that this will not fit that definition.

The capital gains for a small percentage of others is unjust to those who have built and established this neighbourhood and defined a sense of community that is slowly dwindling in our city.

All of our neighbours know each other, care for each other and maintain our properties with consideration to all.

With two bike lanes on the east and west sides of our street, we have lost the luxury of extra parking and with this new proposal, I believe that parking will become an issue. If this proposal is intended for student housing, traffic on our block will be tested if six adults have six vehicles.

I am also concerned that the amendments to the by-laws will stretch the health and safety factors of

the fire code. There is a concern with the size of the new windows that they have proposed. Will they be digging up the concrete to dig down? Will they be putting another escape route next to the back door where possible injury can occur in case of an emergency?
I am also concerned with the infrastructure, sewage and waste that will occur.
This is a residential neighbourhood and I fear that zoning by-laws will also be tested and may have an adverse effect on our own property assessments which is completely unfair to those of us who have great emotional ties to our properties.
Another issue is the fact that there will be a great turnover of people who will reside in the 6 rooms that are being proposed. This is a neighbourhood that welcomes new families with the hopes that they continue to be exemplary neighbours who will use the schools and local stores that are available. If this indeed, is for student housing or temporary housing there is a great risk to the safety of our properties and our personal welfare. Policing services can testify to the validity of complaints where this type of housing exists. (ie: Glenridge & Thorold)
We stand opposed to this proposal, as do all our neighbours.
I implore you to consider our concerns and to act accordingly.

Susan Erskine-Fournier/Paul Walker/Wiley Erskine-Fournier
Susan Erskine-Fournier
Celebrant | Officiant St. Catharines

620 Vine Street | St. Catharines ON | L2M 3V5
Cell:

"When you are feeling sorrowful look again in your heart, and you shall see that in truth you are weeping for that which had been your delight."
Kahlil Gibran, Prophet

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From: Munro, Elaine
To: Munro, Elaine
Subject: Comments Received RE: Submission No. A-88/21 Amanda No. 21117074
Date: Thursday, October 14, 2021 8:50:00 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Karen Doucet < >
Sent: Wednesday, October 13, 2021 9:48 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Submission No. A-88/21 Amanda No. 21117074

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Elaine Munro

Submitted Wednesday October 13th, 2021

This email is against the minor variance of 617 Vine Street St Catharines

We are long time residents of this quiet mature neighborhood and to have a rental unit of rooms is not conducive to our neighborhood.

My Husband and I live with our Family on one side and our Senior neighbour Don Capell is on the other side of this property. We will both be directly impacted as well as the rest of our neighbours. This neighborhood has many Seniors as well as ones with Disabilities. Children are walking to the school at the corner of Parnell and Vine Street.
Having a rental will mean an increase in traffic on an already very busy road way. There is no sidewalks on the west side of Vine street and no parking on the street due to a bicycle path.

There is many safety issues to be considered with a rental as well as security for our quiet neighborhood.

The senior that had lived in the house since the time of build had to move to a retirement home due to a health issue. The sale of the house closed on Sept 1st and the new owners came from Toronto the weekend of Sept 3rd and have not been back to the property since.
The property has not been maintained by the new owners, my Husband and the neighbour on the other side of the house Don have been maintaining grass cutting and picking up of large limbs that have come down during the storm. This blatant disregard for taking care of the property will only

continue if this is allowed as a rental, which is not how this neighborhood is maintained. We all take great pride in our properties and have spent countless hours keep them looking beautiful.

We are against this minor variance and ask that you not allow this house to be turned into a rental but keep it as a single family home which is what we are zoned for.

Thank you
Karen and Dan Doucet
615 Vine Street
St Catharines

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From:	Munro, Elaine
To:	Munro, Elaine
Subject:	Receipt of Comments RE: 617 Vine St Application for Minor Variance
Date:	Thursday, October 14, 2021 8:53:50 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715

Email: emunro@stcatharines.ca

From: Mark Cotoia <>

Sent: Wednesday, October 13, 2021 11:32 PM

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

Cc: Marcia Cotoia < >; joseph cotoia < >

Subject: 617 Vine St Application for Minor Variance

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 a husband and wife that have lived on Vine Street for 36 years. We moved onto this street to raise a family and we've been happy to make friends with scores of families on this street over the years. This has always been a street for families. Our son's elementary school, Prince Philip Public School, is just a couple houses down the street. His middle school, formerly Dalewood, was around the corner off Parnell. His high school, Governor Simcoe Secondary, is only two blocks away. This is a neighbourhood designed for --and of-- young families. We are both angry and confused to hear of the possibility of a lovely single-family home directly across the street from us turning into some sort of for-profit, multi-unit student rental property.

It's particularly confusing because this type of dwelling is not only unsuitable for our neighbourhood, one of which that's largely comprised of families young and old, but it also isn't remotely welcoming for students anyhow. Both Brock University and Niagara College are over 10km away, leaving students with a minimum one hour bus commute at any time of day, as most don't have their own cars. Our area is terribly inefficient for entertainment and bars, so unless you have a car to get to campuses or downtown, you're forced to find entertainment at home. This leads to a lot of student parties, both indoors and outdoors, which statistically have a high chance of loud, rowdy students, creating noise pollution on countless weekends throughout the year. Not to mention the increased chance of police visits to check on the noise and disturbances. Once again, this is a quiet residential neighbourhood so this would be a very unwelcome change for absolutely everyone.

We're also very angry about the possibility of this turning into a reality as we as a community have

built this into an enticing place for families to live. A for-profit, multi-unit student housing property sandwiched right in the middle of our neighbourhood would most certainly lower our property values. Based on the grid that's been shared with us, every bedroom square footage is under 115sqft. In our view, whether you're a student or not, a 100sqft bedroom is borderline inhumane. When we consider that the average student housing bedroom is over 300sqft, this makes this proposal all the more ridiculous. As a result, we don't think it's unreasonable to suggest that the perception for potential home buyers will be that our street "is home to a student housing unit owned by slumlords." Given how social media spreads negative reviews like wildfire in communities and networks online and offline, all it takes is one bad incident for everyone to hear about it. The perception will surely damage the reputation of our neighbourhood and severely impact the property values of all the homes around it. We do not want this. Our neighbours do not want this. Nobody wants this.

In conclusion, we strongly feel that this proposal will do literally nothing to boost our neighbourhood in any meaningful, positive way and will only serve to hurt the families and future residence of our house and the ones around us. It would also be extremely inconvenient for students who want a healthy living/working space and a community to meet their extra curricular needs. This proposal serves absolutely nobody except the out-of-town owners looking to make a profit off a single-family home in the community that WE built.

Thank you for reading this and we hope you'll do the right thing in rejecting this proposal.

Sincerely,

Marcia & Joe Cotoia
622 Vine Street

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CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **A-88/21** **File:** **21117074**

Subject: 617 Vine Street

Recommendation

That Application **A-88/21** by Arghavan Modiri and Iman Farajl be approved.

Report

The Proposal

The Applicant proposes to build an accessory dwelling unit in the basement of an existing one storey 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	$60m^2$	$74.5m^2$
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	48.9%

Location and Site Description

The subject property is located on the west side of Vine Street, between Lakeshore Road and Parnell Road, and contains a detached one-storey dwelling. The surrounding neighbourhood is low density residential comprised primarily of detached dwellings. There is a church and a public school at Parnell Road and Vine Street, approximately 160 metres (525 ft.) south of the subject property. Vine Street is identified as an Arterial Road in the City's Official Plan (Garden City Plan) and a Main Residential Road in the City's Transportation Master Plan. Vine Street, at this location between Lakeshore Road and Parnell Road, has designated bike lanes and no permitted parking on both sides of the roadway, and is on a municipal bus transit route.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E3. The Official Plan 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). The City's Zoning By-law permits an interior accessory dwelling unit within a detached dwelling subject to size parameters.

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, with the intent that the accessory dwelling unit be subordinate in size and function to the primary 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 74.5 square meters, which will occupy 48.9 percent of the total floor area of the dwelling. The principal dwelling unit will remain larger in size than the accessory dwelling unit, and staff are satisfied that the accessory unit is subordinate in size and function to that of the principal dwelling unit. 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. No building addition is proposed to accommodate the accessory dwelling unit, and the location of the existing dwelling on the lot complies with all provisions of the By-law. There are currently two parking spaces on the property, sufficient in size and number, that support the parking space requirements of the Zoning By-law for the principal and accessory dwelling units (1 parking space each). Staff believe the increase in size for the accessory dwelling unit will have no adverse impacts on adjacent properties.

In the opinion of staff, the increase in size for the proposed accessory dwelling unit 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-88/21** 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:	**Submitted by:**	**Approved by:**
Adam Nanji	Evan Acs	Bruce Bellows
Student Planner	Planner I	Senior Planner

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

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Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
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   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-26/21SC, A-97/21 & A-98/21

20 / 22 York Street

DATE OF HEARING:
October 20, 2021

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **B-26/21SC**
A-97/21
A-98/21

File: **21116872**
21117292 (20 York Street)
21117297 (22 York Street)

Subject: 20 & 22 York Street

Recommendation

Consent

That application **B-26/21SC** by Daniel Hendriks and Matthew Fesik, as outlined in the Notice of Hearing with correction of the referenced Parts, as follows:

> "Application B-26/21SC is made for consent to partial discharge of mortgage and for consent to sever 310.4 m² of land (**Part 2** on the submitted sketch) re-creating the lot known as 20 York Street with the existing detached dwelling. A 368.6 m² remnant parcel (**Part 1**) with the existing two-storey duplex dwelling known as 22 York Street will be retained for continued residential use. There are concurrent minor variance applications A-97/21 and A-98/21."

be approved subject to the following conditions:

1. That the Owner remove the existing clothesline structure located along the southern interior side lot line of 22 York Street (Part 1).

2. That the Owner pay the fee for City crews to locate, trace, inspect and document the location and condition of the existing sewer laterals and water services on private property and the York Street right-of-way.

3. That the Owner complete, if deemed necessary, any relocation of the existing sanitary laterals and/or water services on private property if the existing services cross existing or future side lot lines, and obtain the necessary Plumbing Only Permit to do this work.

4. That the Owner pay the City to relocate any portion of the existing water services and/or sanitary sewer laterals, and/or install new water services and/or laterals on City property that may be required to eliminate services crossing existing or future side lot lines, and to pay the City to decommission any service to be abandoned.

5. That final approval for the necessary minor variance applications be received by the Committee of Adjustment.

6. That the applicant provide the Secretary-Treasurer with the acknowledgment 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.

7. 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.

8. That all conditions of consent be fulfilled by October 20, 2022

Minor Variance

That Variance 1 on Application **A-97/21** by Daniel Hendriks and Matthew Fesik, as outlined in the Notice of Hearing, be approved, and that Variance 2 be withdrawn by the Applicant, as it is not required.

That Application **A-98/21** by Daniel Hendriks and Matthew Fesik, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The applicant proposes to sever the existing lot at 20 York Street to allow the existing detached dwelling to occupy the proposed lot (Part 2, 20 York Street) and the existing duplex dwelling to occupy the retained lot (Part 1, 22 York Street), rather than have two dwelling types on one lot, which is the current scenario. Currently 20 York Street has a detached dwelling on the south side of the lot, and a duplex dwelling to the north, which will be known as 22 York Street. The applicant does not propose any changes to the uses of the lands. The severance requires 5 minor variances to the Zoning By-law to facilitate the continued use of the lands.

It is important to note that the Notice of Hearing for application **B-26/21SC** refers to Part 1 as 20 York Street and Part 2 as 22 York Street, however this is incorrect. Variance applications **A-97/21** and **A-98/21** are correct in recognizing Part 1 as 22 York Street and Part 2 as 20 York Street. The consent application and minor variance applications are identified below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-26/21SC	Part 2 (20 York Street)	310.4 m^2	Part 1 (22 York Street)	368.6 m^2

Application	Variance #	Zoning Provision	Required	Proposed
A-97/21 20 York Street (Part 2)	1	Interior Side Yard Setback	1.2 m	0.79 m
	2*	Minimum Landscaped Open Space	35%	33.7%
A-98/21 22 York Street (Part 1)	1	Interior Side Yard Setback	1.2 m	0.06 m
	2	Maximum Parking Width of Front Yard	50%	50.8%
	3	Interior Side Yard Setback to Accessory Structure	0.6 m	0 m

* Upon review by staff this variance have been deemed unnecessary. Please see Minor Variance section of this report.

Location and Site Description

The subject property is located on the east side of York Street, between Louisa Street and Elizabeth Street and west of Lake Street. The area is located within walking distance to the downtown core of the City of St. Catharines and is located in a residential neighbourhood with a mix of dwelling types including detached dwellings, duplexes and semi-detached dwellings. At the intersection of York Street and Louisa Street there is a variety store that serves the neighbourhood. On the current lot there is a detached dwelling and duplex dwelling proposed to be separated as a result of the subject consent application.

Circulation of Applications

The Applications were circulated to all appropriate departments and agencies: no objections were received; however conditions of consent are outlined above.

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Medium Density Residential on Schedule E4. Detached dwellings and duplex dwellings are permitted in this designation at a density range of 25 to 99 dwelling units per hectare.

Zoning By-law (2013-283)

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

Planning Analysis

Consent

Section 16.11.3 of the GCP states that consents to sever will only be given where they contribute to the infilling of areas that are already substantially developed, and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area. Provincial land use plans, as well as the City's Official Plan, promote opportunities for intensification and redevelopment where it can be appropriately accommodated. The Garden City Plan supports a balanced approach to infill and intensification to ensure appropriate building site and streetscape design.

Consent Application **B-26/21SC** requests to sever the subject property to allow for the existing detached dwelling and duplex dwelling to be located on separate lots. The proposed lots are sized appropriately and the density across the gross site is approximately 44 units per hectare, which is consistent with the target density range for medium density residential development. The detached dwelling and duplex dwelling are existing and were previously on two separate lots, which had subsequently merged in title. No changes to the existing buildings are proposed, and each building is currently serviced by existing infrastructure. Staff are satisfied that the proposal is appropriate.

Staff are satisfied that the proposed severance is consistent with the Official Plan in that that lots are sufficiently sized and configured to accommodate appropriate and compatible development. Staff are supportive of Consent Application **B-26/21SC**, subject to the conditions outlined in the recommendation.

Minor Variance

Variance 1 on application A-97/21 and A-98/21

The applicant is requesting a reduction of the interior side yards of both proposed lots along the shared property line. 20 York Street is applying for a reduction from 1.2 metres to 0.79 metres to accommodate the existing dwelling unit. 22 York Street requests a reduction from 1.2 metres to 0.06 metres to accommodate the existing garage. It is important to note that 22 York Street is a duplex dwelling which requires a minimum of two parking spaces, and the garage provides an additional parking space. Both the garage and duplex dwelling exist on site. The rear of each property can be accessed through the other side yard of each lot, therefore, staff find this variance to be minor in nature. The uses of the lots do not change as a result of this application and are compatible with the uses in the neighbourhood, therefore staff find this application to be desirable for the appropriate use of the lands.

The intent of the side yard setbacks outlined in the Zoning By-law is to ensure privacy between dwellings and adequate area for drainage and access. Staff recognize the building locations are an existing situation, no concerns regarding drainage have been identified and access to the rear yards is facilitated on site. Staff find these variances to be in keeping with the general intent of the Official Plan and the Zoning By-law.

Variance 2 on application A-97/21

Staff note that Variance 2 on Application A-97/21 has been requested in error. The proposed reduction in minimum landscaped open space from 35% to 33.7% was part of the original application and discussed with the applicant. Updated plans shown on application **A-98/21** identify the landscaped open space at over 60%. Therefore, Variance 2 on application A-97/21 is not required. Accordingly, Staff recommend that the applicant withdraw this variance.

Variance 2 on application A-98/21
The applicant is requesting an increase in the maximum parking area width from 50% to 50.8% of the front yard of Part 1 on the sketch. This results in an additional 0.1 m of driveway width which staff find to be minor in nature. The wider driveway appropriately facilitates provision of the two parking spaces required for the duplex dwelling, recognizes an existing situation, and does not change the existing streetscape. Therefore, staff find this variance to be desirable for the appropriate use of the lands and in keeping with the general intent of the Official Plan and the Zoning By-law.

Variance 2 on application A-98/21
The applicant is requesting a reduction of the interior side yard setback to an accessory structure from 0.6 m to 0 m. This is needed to recognize an existing small shed on the property which is located along the proposed lot line. The properties are separated by a 1.8 metre high board fence at the proposed lot line, and as such, the location of the shed should not negatively impact upon the use of the neighbouring property. Staff find that this variance is minor in nature, recognizes an existing situation, is suitable for the appropriate use of the lands, and is in keeping with the general intent of the Official Plan and the 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-26/21SC** is consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Variance 1 of Minor Variance Application **A-97/21**, and Minor Variance Application **A-98/21** be approved as these variances are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate development on the lands. Staff further recommend Variance 2 on Minor Variance Application **A-97/21** be withdrawn by the applicant.

Prepared by:	**Submitted by:**	**Approved by:**
Adammanti	Jaya Devlin	

Adam Nanji Student Planner	Taya Devlin Planner I	Bruce Bellows Senior Planner

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

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

St. Catharines

Planning and Building Services
Building and Development

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Cc: Wilrik Banda
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Lou Grossi, Dipl. T. Arch, CBCO
Building Inspector II

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    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-26/21SC

October 5th, 2021 **ENGINEERING FILE 300-36**

Hearing Date: October 20th, 2020

Applicant: Daniel Hendriks and Matthew Fesick

Location: 20 & 22 York Street

EXISTING LINEAR MUNICIPAL SERVICES

Water: 150mm C.I.

Sanitary Sewer: 375mm Clay & 250mm Clay

Storm Sewer: 525 Concrete

Sidewalks: Both sides

Road Allowance Width: 18.29m±

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 from Part 1 on the reference plan provided with this application thereby re-establishing two previous lots. The existing houses will remain.

York Street is designated a Local Community Road in the City's Master Transportation Plan with a preferred right-of-way width of 20m. Its current width along this section is approximately 18.289m±. Therefore, a road widening will not be required at this time.

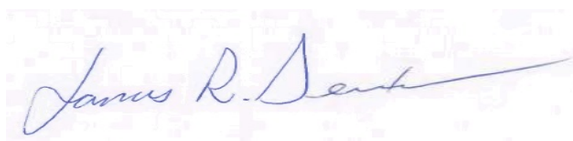
Sidewalks exist along the frontage of the subject property. Therefore, a contribution to the construction of a future sidewalk across the frontage of the subject property is not required at this time.

The Owner shall pay to have City forces confirm that both the location and condition of the existing water services and sewer laterals to the existing dwellings are suitable for reuse and do not cross any abutting and/or future lot lines. If these services are determined to cross abutting and/or future lot lines, the Owner shall be responsible to relocate the portion of these works on private property. Any such alterations on private property shall require the owner to obtain and pay for a Plumbing Only Permit. The relocation of the services within the City ROW will be done by City crews at the owner's expense. This work must also be paid for and completed prior to finalizing this severance.

If the service cannot be relocated, but rather requires a completely new service, the Owner shall arrange for the City to install these services from the City owned main line sewer and watermain to the front property line and decommission the existing services to be abandoned. If required, this work shall also be paid for and completed prior to completion of the severance.

Condition(s): Prior to consent, the Applicant shall:

- Pay the fee for City crews to locate, trace, inspect and document the location and condition of the existing sewer laterals and water services on private property and the York Street right-of-way.
- Complete, if deemed necessary, any relocation of the existing sanitary laterals and/or water services on private property if the existing services cross existing or future side lot lines, and obtain the necessary Plumbing Only Permit to do this work.
- Pay the City to relocate any portion of the existing water services and/or sanitary sewer laterals, and/or install new water services and/or laterals on City property that may be required to eliminate services crossing existing or future side lot lines, and to pay the City to decommission any service to be abandoned.



Prepared By: _____

James Denham, P.Eng.
Development Engineering Technologist

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

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7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-27/21SC, B-28/21SC, A-99/21, A-100/21 & A-101/21

45 Lakeshore Road

DATE OF HEARING: October 20, 2021

From: Munro, Elaine
To: Munro, Elaine
Subject: Comments Received RE: Committee of Adjustment - Notice of Hearing - 45 Lakeshore Road
Date: Thursday, October 14, 2021 8:25:25 AM

Elaine Munro ACST

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

From: <>
Sent: Wednesday, October 13, 2021 2:00 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc:
Subject: Committee of Adjustment - 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.

Committee of Adjustment
Attn: Elaine Munro

Comments re the above proposals
Amandas: 21117342, 21116970, 21116977
Submissions: A-99/21, B-27/21SC, B-28/21SC
As adjacent homeowners we have concerns with and object to the submitted proposals.
As recent purchasers of 43 Lakeshore Road (July 2021), our decision was based on the quality of life experience and privacy provided by this property due to the developed foliage, mature trees, backyard privacy and single family residences surrounding our property.
As purchasers we were not aware, nor made aware of any development proposals.

1. The common property border has a number of mature trees that provide a canopy, privacy and wind break for our back and side yard. We would not like to see any of these mature trees removed as it would impact our privacy and the enjoyment of our property as well as being detrimental to the environment.
2. Encroachment to the property line under the three unit plan potentially again impacts our expected privacy and quiet enjoyment by bringing more individuals into closer proximity.
3. Increased housing density on a single family area could negatively impact property values and our investment in our home.
4. Locating multiple units further back within the neighbouring lot would align the units

more closely with our back yard and again impact privacy and quiet enjoyment.

5. Adding multiple units to what was designed and intended as a single home property will also imcrease neighbour activity and general noise and congestion.
6. The demolition, preparation and new construction would be intrusive and create dust, dirt and noise pollution which we would prefer to avoid.

Based on the above, from our perspective these are not minor adjustments. We are not in favour and object to their approval.

Sincerely

Wayne & Jane Moorehead
43 Lakeshore Road, St Catharines. ON L2N 2T2
Tel: (XXX) XXX-XXXX Cell: (XXX) XXX-XXXX Email: XXXXX

Click here to report this email as spam.

From:	Munro, Elaine
To:	Munro, Elaine
Subject:	Comments Received RE: Notice of Hearing submission No. A-100/21
Date:	Thursday, October 14, 2021 8:35:42 AM

Elaine Munro ACST

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

From: dslafratta < >
Sent: Wednesday, October 13, 2021 7:37 PM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: Notice of Hearing submission No. A-100/21

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.

Hi
My concern with this is my backyard is 5 Wendover Place which all 3 houses will be impacting.
I would like to know what the back of the houses are like. Are they a bungalow style which is currently there and provides privacy.

We would like to ask that the fence 8 ft be put up prior to any digging starting to help with some of the mess and dirt we will be dealing with.

How long is this to take? Am I going to lose time in my yard and Gazebo during the Fall, Spring and Summer because of this.

What is the plan when it comes to digging out the underground cement cold storage.
Along with the tree removal.

I am very concerned with the damage my yard could be vulnerable to.

Thank you for your time.

David and Sherry Lafratta

Sent from my Galaxy

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

October 5, 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 116970, 21 116977, 21 117342, 21 117344 and 21 117345

Re: 45, 45A, 45B, and 45C Lakeshore Rd

In response to your correspondence dated September 27, 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 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 respresentative 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

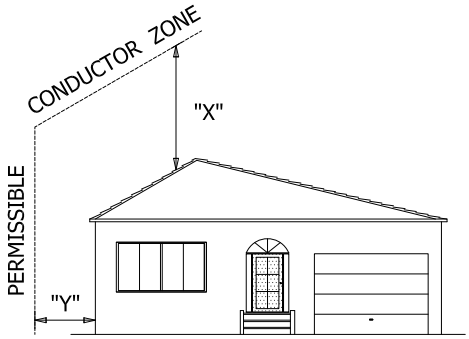
We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

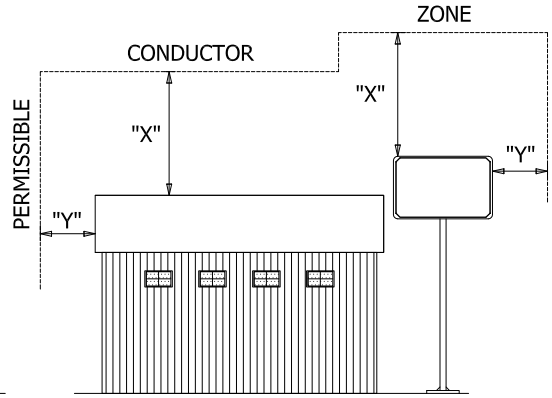
Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital

CERTIFIED
Regulation 22/04





- 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.

horizon UTILITIES Looking beyond...

DRAWING STATUS	BY	DATE DD/MM/YY
REDRAWN:	JM	12/06/07
CHECKED:	ND	26/04/05
APPROVED:	CR	26/04/05

MINIMUM CONDUCTOR CLEARANCES FROM BUILDINGS, PERMANENT STRUCTURES OR BUILDING APPARATUS

(EXCLUDES SECONDARY SERVICES ATTACHED TO BUILDINGS)

REFERENCE DRAWINGS:

DRAWINGS NOT TO SCALE

DRAWING #	SHEET#	REVISION#
3-105	1	0

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-27&28/21SC

October 5, 2021 **ENGINEERING FILE 300-36**

Hearing Date: October 20, 2021

Applicant: 1473941 Ontario Inc.

Location: 45 Lakeshore Road

ENGINEERING SERVICES	**Lakeshore Road**
Water:	300mm PVC
Sanitary Sewer:	250mm A.C
Storm Sewer:	450mm Concrete
Sidewalks:	Yes
Road Allowance Width:	26.21m (86') Regional

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 and 2 for the purposes of constructing a three-unit townhouse. Remnant parcels (Parts 2 & 3) would be retained for future residential use. The application would allow each unit to be owned / sold separately as 42A, 42B & 42C Lakeshore Road.

Roads

Lakeshore Road is designated a Regional Arterial road with a desired right-of-way width of 26.21m (86.0'). Given its jurisdiction is Regional, comments from Niagara Region will apply.

Sidewalks and Curbs

Sidewalks exist along the frontage of Lakeshore Road. Sidewalk damage deposits for the frontage, given they are existing, shall be required at the Building Permit stage, the costs of which to be determined based on the length of the frontage and as per the City's current Schedule of Rates & Fees. Care shall be taken not to damage these existing services during development of the site, if approved.

Engineering Services

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

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does not exist and is not envisioned for this section of Smythe Street, sump pump flows and roof leaders shall be required to discharge to grade at the front yards only, and shall be identified as to how on the prepared lot drainage plan, in accordance with the Property

Standards By-law (2014-248).

The Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the sewer service lateral and water service location currently in use for the existing dwelling, to confirm it does not conflict with or exist upon any abutting and/or future lot lines. This service shall be completed prior to both the severance finalization and demolition permit issuance, whichever comes first. If the services are determined to conflict with or exist upon abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit. The Owner shall pay the City the fees required for City crews to install new water and sewer services to the new property lines during the building permit process.

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

- Have prepared by a Professional Engineer or an Ontario Land Surveyor, a Lot Grading & Drainage plan for review and approval; and
- If determined, prepare a reference plan identifying any drainage easements, if required, for review and approval by the City prior to their deposit in the Land Registry office; and
- Provide to the City the registered drainage easement documents, if required, for review and approval by the City prior to their registration in the Land Registry office; and
- Forward to the City the registered Reference Plan and drainage easement documents, if any; and
- Pay the fee for City crews to locate, trace, inspect and document the sewer and water laterals servicing the existing dwelling; and
- If determined existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay to the City the fees required to install new water services from the City main and a new sewer service, to the individual front property line in order for each lot to be serviced independently;

Prepared by: _____

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

c. James Denham, PBS (email only)

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-29/21SC & A-?/21

113 Moffatt Street

DATE OF HEARING: October 20, 2021

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **B-29/21SC** **A-102/21** **File:** **21117007** **21117972**

Subject: 113 Moffatt Street

Recommendation

Consent

That Application **B-29/21SC** by Albertus Vander Hulst and Marion Vander Hulst, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the existing detached dwelling at 115 Moffatt Street be demolished.

2. That the Owner dedicate to the City, free and clear of any encumbrances, a widening of ±1.62 metres across the frontage of the subject property, to be known as Public Highway Moffatt Street.

3. That the Owner provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.

4. That the applicant provides the Secretary-Treasurer with the acknowledgment 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.

5. 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.

6. That all conditions of consent be fulfilled by October 20, 2022.

Minor Variance

That Application **A-102/21** by Albertus Vander Hulst and Marion Vander Hulst, as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes a boundary adjustment to transfer part of the rear yard of 113 Moffatt Street to 115 Moffatt Street. 113 Moffatt Street currently exceeds the maximum lot area for a detached dwelling. Following the proposed boundary adjustment, 113 Moffatt Street will continue to exceed the maximum lot area permitted for a detached dwelling, as such an associated Minor Variance has been submitted. The property at 115 Moffatt Street currently contains a detached dwelling and will also exceed the maximum permitted lot area, however this property is intended for future residential development and is not intended for continued use as a detached dwelling. As such, a Minor Variance has not been submitted for 115 Moffatt Street. The requested boundary adjustment and variance are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-29/21SC	Part 1 (To merge with 115 Moffatt)	1565.6 m^2	Part 2 (113 Moffatt St)	764.5 m^2

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

Application	Variance #	Zoning Provision	Required	Proposed
A-102/21 113 Moffatt Street	1	Maximum Lot Area for Detached Dwelling	465 m^2	764.5 m^2

Location and Site Description

The subject lands are located on the west side of Moffatt Street, east of Highway 406 and north of Disher Street. The property is located within a residential neighbourhood with a mix of dwelling types including detached, semi-detached and townhouses. There is also a significant green space to the east, associated with the first and second Welland Canal.

Circulation of Application

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

Planning Policy Context

Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E9. Detached dwellings are permitted in this designation at a density generally ranging from 20 to 32 units per hectare.

Zoning By-law (2013-283)

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

Planning Analysis

Consent

Section 16.11.3 of the GCP states that consents to sever, including boundary adjustments, will only be given where they contribute to the infilling of areas that are already substantially developed, and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area. Provincial land use plans, as well as the City's Official Plan, promote opportunities for intensification and redevelopment where it can be appropriately accommodated.

Consent Application **B-29/21SC** requests to sever part of the rear yard of one property and have it merge with a neighbouring property. In this case, the neighbouring property is intended to be used for future residential development. The boundary adjustment meets the requirements of the GCP as the size and shape of the lot to be retained for the existing detached dwelling is not unusual and serves to reduce the size of an existing oversized lot to become more aligned with the City's policies. Staff also note that severing Part 1 to be added to the abutting lands at 115 Moffatt Street results in a lot that can facilitate future intensification within the neighbourhood.

Staff are satisfied that the proposed boundary adjustment is consistent with the Official Plan and will not interfere with any provisions set out by the Zoning By-law.

Staff are supportive of Consent Application **B-29/21SC** subject to the conditions outlined in the recommendation.

Minor Variance

The minor variance application **A-102/21** seeks to increase the maximum lot area for a detached dwelling from 465m^2 to 764.5m^2. The existing lot size for 113 Moffatt St is approximately 2300 m^2, and the result of the proposed severance will reduce the lot size by approximately two-thirds the size to 764 m^2. The proposed lot size for 113 Moffatt Street will become more in line with the current density and zoning requirements set out by the Official Plan and the Zoning By-law and is not out of character for the development in the neighbourhood. Staff find the variance to be minor in nature, deemed an appropriate use of the lands and in keeping with the intent and purpose 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-29/21SC** is consistent with the provisions of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is

staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance application **A-102/21** 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 and function of the lands. Staff recommend that the application be approved.

Prepared by:	**Submitted by:**	**Approved by:**
Adam Nanji Student Planner	Taya Devlin Planner I	Bruce Bellows Senior Planner

October 5, 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 117007 & 21 117972

Re: 113 Moffatt St

In response to your correspondence dated September 27, 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.
- Hydro easement is to remain clear of encroachment of any kind.
- Existing 10.0m Alectra Utilities Easement, SCH-6172, is located at the rear of both properties to be joined for future development. Easement must remain clear of any development and be recognized during land severance and transfer of title.

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 respresentative 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.

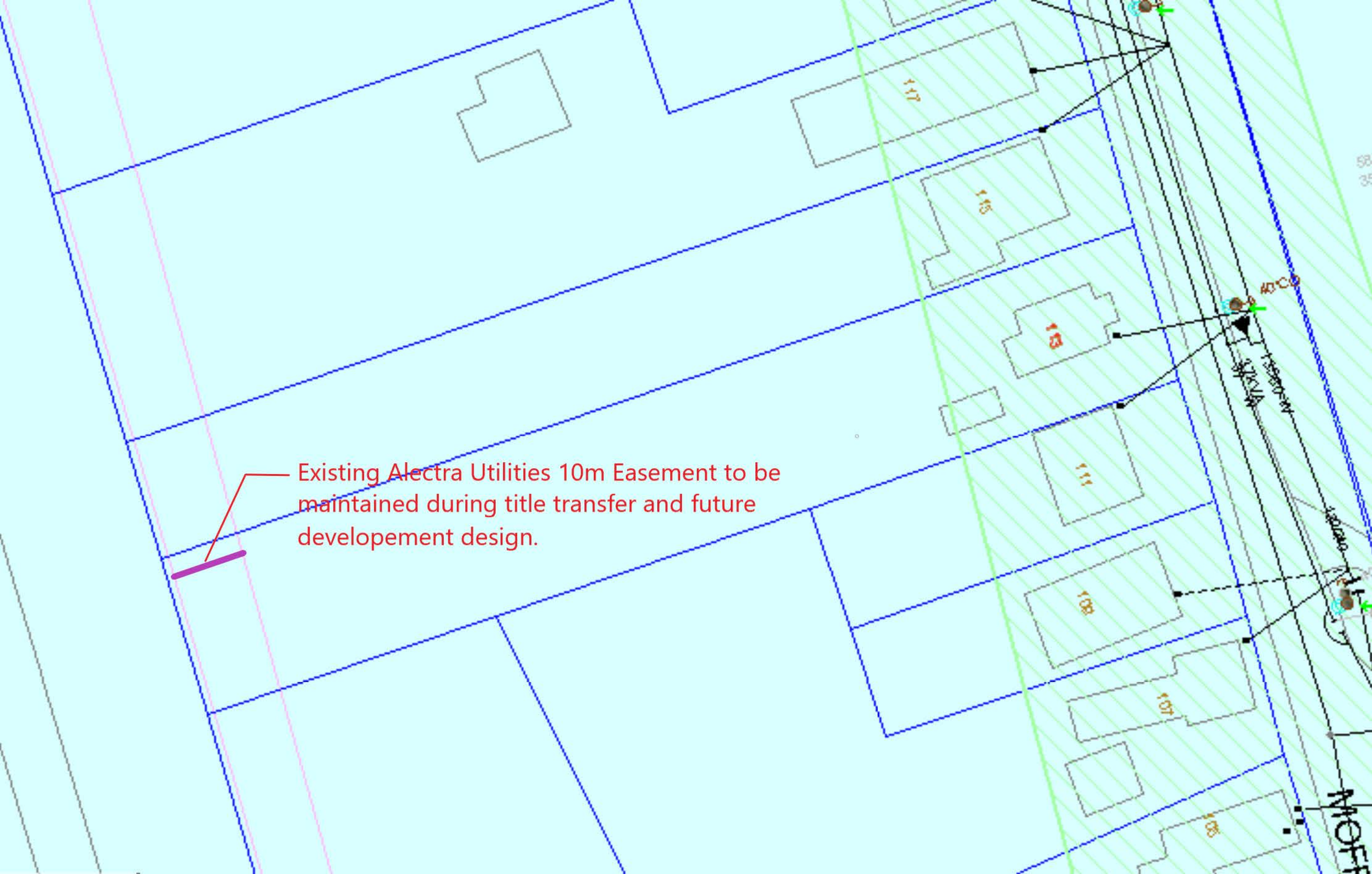
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system must be maintained in according to:
    - Ontario Building Code (1997) 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


Existing Alectra Utilities 10m Easement to be maintained during title transfer and future developement design.
117
115
113
111
109
107
105
40 CB
NORTH

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-29/21SC

October 5, 2021 **ENGINEERING FILE 300-36**

Hearing Date: October 20, 2021

Applicant: Albertus & Marion Vander Hulst

Location: 113 Moffatt Street

ENGINEERING SERVICES	**Moffatt Street**
Water:	200mm PVC
Sanitary Sewer:	200mm PVC
Storm Sewer:	None
Sidewalks:	Yes – Curb-faced
Road Allowance Width:	16.7m± (55')

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

Comment(s): It is noted that the Applicant proposes to sever Part 1 which will be added to the abutting northerly parcel known as 115 Moffatt Street, for future residential development. A remnant parcel (Part 2) will be retained for continued residential use.

Roads

Moffatt Street is designated a Local road as per the City's Official Plan with a desired right-of-way width of 20.0m (66.0'). Its current width is deficient in this location as noted above and although has since recently been reconstructed to accommodate new road, curb, gutter, and sidewalks within the current right-of-way, it remains in a width that restricts any further boulevard improvements on the back side of the sidewalk for boulevard tree plantings and future utility relocations. The City shall require a widening be dedicated free and clear of any encumbrances to be known as Public Highway Moffat Street, of approximately 1.62m±.

Sidewalks and Curbs

Curbs and sidewalks exist along the frontage of Moffatt Street, as the road has recently been reconstructed with these services installed. Sidewalk damage deposits for the frontage, given their existing, shall be required at the Building Permit stage, the costs of which to be determined based on the length of the frontage and as per the City's current Schedule of Rates & Fees. Care shall be taken not to damage these existing services during development of the site, if approved.

Engineering Services

Given this application is regarding a boundary adjustment and the existing dwelling is to remain, we have no further comments regarding Engineering Services at this time.

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

- Provide the City a draft reference plan indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office; and

- Dedicate to the City, free and clear of any encumbrances, the widening across the frontage of the subject properties, to be known as Public Highway Moffatt Street

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

c. James Denham, PBS (email only)

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-30/21SC, A-89/21 & A-90/21

23 Frederick Street

DATE OF HEARING:
October 20, 2021

CITY OF ST. CATHARINES

Technical Report

Report from Planning and Building Services, Planning Services

Date of Report: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **B-30/21SC**
A-89/21
A-90/21

File: **21117080**
21117203
21117234

Subject: 23 Frederick Street
51 Roland Street

Recommendation

Consent

That application **B-30/21SC** by Patrick Evangelista, as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Applicant 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.

2. That the Applicant apply for and enter into a Servicing Agreement with the City of St. Catharines for the construction of a local municipal sanitary sewer extension to City Standards from the existing manhole on either Frederick Street or Strada Boulevard, to adequately service Part 1.

3. That the Applicant ensure the Servicing Agreement is executed and registered on Title of the subject lands (23 Frederick Street) prior to a Final Certificate being issued, which shall include but not be limited to
    a. the Applicant obtaining all required approvals from other authorities including the Regional Municipality of Niagara and the M.O.E.C.P.
    b. the Applicant hiring an Engineering Consultant to; design all of the works covered by this agreement, prepare plans, profiles and contract documents and specifications for the said works, prepare applications for the Engineer's submission to the necessary authorities for approval of the works prior to their construction, supervise and inspect the construction of the works, including the setting and checking of all lines and grades, etc. prior to, during and after construction.
    c. the Applicant being responsible for all costs associated with the construction, including City Inspection and Geotechnical testing of the works.

d. the Applicant depositing substantial securities with the City, in a form acceptable to the City Treasurer, to ensure compliance with the terms of the Servicing Agreement.

4. That final approval for the necessary minor variance applications be received by the Committee of Adjustment.

5. That payment of 5% of the appraised value of the new lot (Part 1) be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. That the appraisal be completed by a qualified appraiser.

6. That the owner enter into a Development Agreement with the City of St. Catharines to address the servicing, lot grading, stormwater management and geotechnical requirements for the proposed development to the satisfaction of the City, and to ensure that the site plan and building elevations submitted with the consent applications are appropriately applied to the development of the site.

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

8. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing west, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

9. That the applicant submits to the City a cash payment for one (1) boulevard tree as set out in the applicable Schedule of Rates and Fees.

10. That the applicant provides the Secretary-Treasurer with the acknowledgment 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 a final certification fee of $218.90 per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.

12. That all conditions of consent be fulfilled by October 20, 2022.

Minor Variance

That Applications **A-89/21** and **A-90/21** by Patrick Evangelista, as outlined in the Notices of Hearing, be approved.

Report

The Proposal

The Applicant requests a consent to sever 356.9 square metres of land (Part 1) to be known as 51 Roland Street, for proposed construction of a two-storey detached dwelling with an attached garage. A 479.1 square metre remnant parcel (Part 1) known as 23 Frederick Street will be used for continued residential use. There are concurrent minor variance applications A-89/21 and A-90/21.

The requested consent and variances are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-31/21SC	Part 1 (51 Roland Street)	356.9 m²	Part 2 (23 Frederick Street)	479.1 m²

The concurrent Minor Variance Applications A-91/21 and A-92/21 seek relief from the City of St. Catharines Zoning By-law through the variances outlined below:

Variance A-89/21 (Part 1)	Zoning Provision	Required	Proposed
1	Minimum Lot Area	400 m^2	356.9 m^2
2	Minimum Front Yard Setback	7.0 m	6.0 m
3	Minimum Rear Yard Setback	7.5 m	6.0 m
4*	Minimum Interior Side Yard Setback for Portion of Dwelling in Excess of 7 Meters in Building Height	2 m	1.22 m

Variance A-90/21 (Part 2)	Zoning Provision	Required	Proposed
1	Minimum Required Rear Yard Setback	7.5 m	6 m

* Upon review by staff this variance is not required. Please see Minor Variance section in this report.

Location and Site Description

The subject lands are located on the northwest corner of Frederick Street and Roland Street. The neighbourhood has a mix of detached dwelling types, with a public school

and park space nearby. Along Frederick Street, there are mainly one story detached dwellings. There are no homes with frontages currently located on Roland Street west of Frederick Street. The lot currently contains an existing detached dwelling with a detached 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 Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E8. The Low Density Residential Designation permits a variety of dwelling types at a density of 20 to 32 units per hectare. The proposal has a density of 24 units per hectare.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Detached dwellings are a permitted use in this zone.

Planning Analysis

Consent

Consent Application **B-30/21SC** requests to sever 356.9 m² of land from the rear of 23 Frederick Street to create a new lot to be known as 51 Roland Street. The existing house would be retained on the 479.1 m² remnant parcel.

Section 16.11.3 of the GCP states that consents to sever will only be permitted where they contribute to the infilling of areas that are already substantially developed, and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

The retained lot meets the zoning by-law requirements for lot area, however the proposed lot does not and requires a variance which is outlined below. Across the street at 20 Frederick and eastward, there are a number of lots that are currently under the lot area requirements set out by the Zoning-Bylaw, and the proposed lot size for 51 Roland Street. Is comparable to a number of existing lots in the neighbourhood. To accommodate the proposed development, variances are required on both the proposed severed and remnant lot. The overall density of the proposal meets the density target set out in the Official Plan. Staff find that the size, shape, and configuration of both the retained and proposed parcels of land are appropriate for their intended use, and supports the appropriate and optimal development of the lands in a compatible manner with the neighbourhood.

Staff are satisfied that the proposal is consistent with the intent of the Official Plan. The concurrent minor variance applications considered in this report will address zoning deficiencies. There are no anticipated impacts to neighbouring properties or the natural

environment as a result of the severance. Staff recommend approval of Application **B-30/21SC**, subject to the conditions outlined in the recommendation.

Application A-89/21 (Part 1)

Variance 1

Variance 1 seeks a decrease of the minimum lot area for a detached dwelling from 400 m^2 to 356.9 m^2 for Part 1 known as 51 Roland Street. The intent of the minimum lot area provision is to ensure that a building envelope can comfortably fit within the boundaries of the property, while ensuring that adequate space is maintained for outdoor amenity areas, landscaping, parking, access around the building, stormwater management, and adequate buffering from neighbouring properties and dwellings. The minimum lot area provisions are also intended to support a generally consistent lot fabric and built form within the neighbourhood. In the opinion of staff, the proposed lot size is appropriate to provide an adequate building footprint for a detached dwelling, together with adequate outdoor space to provide amenity area, landscaping, parking, ensure drainage compliance, and building setbacks to support buffering from adjacent uses and minimize any privacy or overlook concerns.

The Official Plan recognises the need for infill of residential neighbourhoods given the lack of vacant development land in the City. Density is a contributing factor when considering a reduction in lot size. In this case, the proposed development meets the density requirements set out by the Official Plan. Staff are satisfied that the variance meets the general intent and purpose of the Official Plan and Zoning By-law.

Staff recommend that Variance 1 on Part 1 be approved.

Variance 2

Variance 2 seeks to reduce the minimum required front yard setback to the garage from 7.0 m to 6.0 m for the proposed dwelling on Part 1. The intent of the minimum front yard setback is, in part, to provide adequate parking space dimensions, to ensure that garages do not dominate the streetscape of low density residential neighbourhoods, and to support enhanced visibility for vehicles exiting the property with respect to other vehicles and/or pedestrians in the adjacent roadway. The proposed lot would be the only one fronting Roland Street between Frederick Street and Strada Boulevard, and as such, the slightly reduced setback for the garage will have negligible impact on the established streetscape. The dwelling also projects beyond the front face of the garage in such a way that the garage is subordinate to the façade. With the reduced setback, the driveway dimensions are still adequate to meet parking requirement provisions, and also maintain sufficient visibility for a vehicle exiting the property. In the opinion of staff, the reduced setback maintains the intent and purpose of the Official Plan and Zoning By-law.

The 1 metre reduction in the garage setback is considered minor in nature and no adverse impacts are anticipated as a result of the variance. Staff are supportive of Variance 2 on Part 1.

Variance 3

Variance 3 seeks to reduce the minimum required rear yard setback from 7.5 m to 6.0 m on Part 1. The intent of the rear yard setback is to provide appropriate separation from

adjacent lots, protect privacy and prevent overlook, and to provide adequate amenity space. The proposed attached garage is one-story, and the dwelling itself is approximately 7 metres in height, and below the maximum 10 metre height requirement permitted. In the opinion of staff, a 1.5 metre reduction in the rear yard setback does not impact privacy or overlook onto adjacent lots, and that the proposed rear yard provides adequate amenity space on the lot to serve the proposed detached dwelling.

The 1.5 metre reduction in the rear yard setback is considered minor in nature, no adverse impacts are anticipated as a result of the variance, and in the opinion of staff, maintains the intent of the Official Plan and Zoning By-law. Staff are supportive of Variance 3 on Part 1.

Variance 4
Variance 4 seeks a reduction of the minimum interior side yard setback required for any portion of a dwelling greater than 7 metres in building height from 2 metres to 1.22 metres. Staff note that the portion of the dwelling that is above 7 meters in height is located beyond 2 meters from the interior side lot line, and the proposed building footprint meets the current required setback. Staff recommend that Variance 4 on Part 1 be withdrawn.

Application A-90/21 (Part 2)
The variance requested through Application A-90/21 seeks to reduce the minimum rear yard setback from 7.5m to 6.0m for Part 2, known as 23 Frederick Street. This variance is requested to facilitate the location of the proposed severance line on the property.

The intent of the rear yard setback is to provide appropriate separation from adjacent lots, protect privacy and prevent overlook, and to provide adequate amenity space. In this case, the existing dwelling is only one storey. In the opinion of staff, a 1.5 metre reduction does not impact privacy nor overlook onto adjacent lots. The amenity space on the lot is considered sufficient for the proposed detached dwelling.

In the opinion of staff, the 1.5 metre reduction in the rear yard setback is considered minor in nature, will have no adverse impacts on adjacent properties, and meets the intent of the Official Plan and Zoning By-law. Staff are supportive of this variance on Part 2.

Conclusion
Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-30/21SC** is in keeping with the relevant policies of the Official Plan and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Minor Variance applications **A-89/21** and **A-90/21** 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 use and function of the lands. Staff recommend that the applications be approved.

Prepared by:	Submitted by:	Approved by:
Adam Nanji Student Planner	Charlotte McEwan, MCIP, RPP Planner I	Bruce Bellows Senior Planner

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
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A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-31/21SC, A-91/21 & A-92/21

124 South Drive

DATE OF HEARING:
October 20, 2021

AndrewAllen Hellwig

October 13, 2021

Mr. Brent Pym, President
Pym+Cooper Custom Homes inc.
330 Vansickle Rd. Unit 9
St. Catharines ON
L2S 0B

Re: 124 South Drive residential development proposal

Dear Mr Pym;

I wish to offer my support for your proposed redevelopment of 124 South Drive, thank-you kindly for stopping by my residence to explain and show in further detail your proposal for the property directly across the street from my residence.
I applaud your company's reuse of the existing building and its intensification from its single family use in a creative and contextually sensitive manner. We have no objections to any of the proposed variances that you require in order to move your project forward, I would also like to add that I do not have an objection regarding the façade of the secondary dwelling unit slightly stepped back from the proposed garage plane as described in the architectural renderings, in fact I believe it offers further depth and variation to the overall length of the building fronting South Drive.

Sincerely,

[redacted]

Andrew Hellwig
121 South Drive St. Catharines

121 South Drive St. Catharines Ontario L2R 4W1 [redacted]

From: Munro, Elaine
To: Munro, Elaine
Subject: RE: Submissions for Applications B-31/21;A-91/21;
Date: Monday, October 11, 2021 8:37:54 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: John Greer < >
Sent: Sunday, October 10, 2021 3:23 PM
To: Munro, Elaine <emunro@stcatharines.ca>; Lyne Greer < >
Subject: Submissions for Applications B-31/21;A-91/21;

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,

I'm writing you today about submission no. B-31/21Sc.

As owner of 17 Forest Hill Road, we are adamantly opposed to the application. Our neighbourhood has been changing drastically over the past few years…on Forest Hill we have had two single residential lots been changed to multi-unit residents…the first being at 101 Glenridge going from a single residential home to a semi-detached unit and 16 Forest Hill Road to a multi apartment unit. Parking on the street is almost impossible and with two more homes it is only going to get worse. With snow removal parking becomes very limited and makes it difficult to get through the street. By changing these single house lots to multi-unit lots, the character and function of the neighbourhood is changed. I was under the impression that part of a committee's job was to maintain the character of the neighbourhood. The company that purchased the home knew it was a single home lot, therefore why are we allowing this change?

There are also a few beautiful trees located on and at the edge of this lot. I thought that the city has a tree-cutting law about removing established trees. These trees add so much character to the neighbourhood. The numbered company knew what they were buying and should not be allowed to make such major adaptions to the character of the neighbourhood. Especially since we are located in the historical old Glenridge area.

Minor variance application A-91/21

We are opposed to this application for the following reasons

1. Increasing the maximum lot area for a semi detached dwelling from 465m to 738m is not minor. This is almost double the lot area, which is not minor in nature as it will change the look of the neighbourhood. Another concern is the level of drainage from the soil will be left on the lot to absorb rainfall and snow melt. I'm sure the neighbours do not want this excess water to be on their property.

2. An increase to the maximum parking area coverage from 50% to 79% of the front yard is far from minor. This is more than a 50% increase. This will leave little room left for gardens or gass, which is traditional in the neighbourhood. We don't want to look at nothing but pavement. Old Glenridge residents take a lot of pride in their properties, we want to continue the esthetic and character of this is an established community.

3. An increase of the maximum driveway width from 7.5 m to 18.61 m again is far from minor. This is more than 100% increase. Again, this is Old Glenridge which is a community that consists of lawns not just driveways. You are not maintaining the character of the neighbourhood, which is part of your mandate.

4 A reduction of the minimum setback from interior side yard of platform structure from 1.2m to 0m. Again, this is far from minor. You are allowing the structure to be on the property line, which approaches upon the neighouring houses and roads. What will this do to Frank's property value 18 Forest Hill R This does also not follow your mandate of keeping the character of Old Glenridge. We want the neighbourhood to continue as a neighbourhood and not an apartment complex.

Application A-92/21

We are opposed to this application and would like the committee to turn the application down for the following reasons

Section number 2, permission for a garage to protrude 2.5 m beyond the corresponding wall of the dwelling unit does not conform to the other units on the street or much of the neighbourhood. This will cause an obstruction to those trying to turn onto South Drive. This house is on the corner and a lot of young family's walk and bike on Forest hill. With the garage and cars sticking out, visibility of the road will be decreased on South Drive increasing the risk of having an accident at Forest Hill and South drive. This should be turned down. This would also not comply with the housing of the neighbourhood as most lots have an attached garage that is not protruding or a garage that is behind the house. Please stop changing the charm of Old Glenridge.

Section number 3, a reduction of the minimum interior side yard setback of the semi-detached dwelling that is not along the common wall from 1.2m to 0.75 m. This is almost half a meter, which is not minor in nature. Who would want to live beside this? It is not continuing the life style of the residents of this community.

Thanks

John Greer

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: October 15, 2021 **Date of Meeting:** October 20, 2021

Report Number: **B-31/21SC** **A-91/21** **A-92/21**

File: **21117210** **21117215** **21117217**

Subject: 124 and 128 South Drive

Recommendation

Consent

That application **B-31/21SC** by 2841157 Ontario Ltd, 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 124 South Drive addressing the following conditions:
    a. That building permit plans for Part 2, once submitted, be reviewed and confirmed to be generally in accordance with the site plan included as Appendix 1 attached to this report, and elevation plans to be approved through the development agreement;
    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 applicant have prepared by a Professional Engineer or an Ontario Land Surveyor, a Lot Grading & Drainage plan for review and approval.

3. That the applicant submit a draft reference plan identifying the required City road widening along Forest Hill Road for review and approval by the City prior to its deposit in the Land Registry office.

4. That the applicant dedicate to the City, free and clear of any encumbrances a road widening of 1.38m to be known as Public Highway Forest Hill Road.

5. That the applicant pay to the City the cash-in-lieu payment for a future 1.50m wide concrete sidewalk along the 33.53m property frontage of Forest Hill Road.

6. That the applicant pay the fee for City crews to locate, trace, inspect and document the sewer and water laterals servicing the existing dwelling.

7. That, if determined existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay to the City the fees required to install new water sewer services, to the individual front property line for each lot to be serviced independently.

8. That the applicant remove the northerly driveway entrance and a portion of the parking area on Part 1 to bring the parking area into compliance with all currently applicable zoning provisions, as shown in Appendix 1 attached to this report. The portion of the driveway removed from the City boulevard shall be reinstated with sod.

9. That the Owner submit payment of 5% of the appraised value of Part 2, as determined by a qualified appraiser, to the City in lieu of dedication of land for parks purposes. Section 53 (13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of payment, the value of the land shall be determined as of the day before the day the provisional consent was given'.

10. That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

11. That the applicant provide the Secretary-Treasurer with the acknowledgment and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.

12. That a final certification fee of $218.90 per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.

13. That final approval for the necessary minor variance applications be received by the Committee of Adjustment.

14. That all conditions of consent be fulfilled by October 20, 2022.

Minor Variance

That Variance 1 of application **A-91/21** by 2841157 Ontario Inc., as outlined in the Notice of Hearing, be approved.

That Variance 4 of application **A-91/21** by 2841157 Ontario Inc., as outlined in the Notice of Hearing, be withdrawn by the applicant.

That Variances 2 and 3 of application **A-91/21** by 2841157 Ontario Inc., as outlined in the Notice of Hearing, be denied.

That Variances 1 and 2 of application **A-92/21** by 2841157 Ontario Inc., as outlined in the Notice of Hearing, be denied.

That Variance 3 of application **A-92/21** by 2841157 Ontario Inc., as outlined in the Notice of Hearing, be approved.

Report

The Proposal

The Applicant proposes a consent to sever 386.6 square metres of land (Part 2) to be known as 128 South Drive, for proposed construction of one semi-detached dwelling unit that would utilize one half of an existing garage on the site. A 737.3 square metre remnant parcel (Part 1) known as 124 South Drive, is currently a detached home which will be converted to the other unit of the semi-detached dwelling, utilizing the other half of the existing attached garage. There are concurrent minor variance applications A-91/21 and A-92/21.

The requested consent and variance are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
B-31/21SC	Part 2 (128 South Drive)	386.6 m²	Part 1 (124 South Drive)	737.3 m²

The concurrent Minor Variance Applications A-91/21 and A-92/21 seeks relief from the City of St. Catharines Zoning By-law through the variance outlined below:

Variance A-91/21	Zoning Provision	Required	Proposed
1	Maximum Lot Area for a Semi-Detached Dwelling	465 m^2	738 m^2
2	Maximum Parking Area Coverage	50%	79%
3	Maximum Driveway Width	7.5 m	18.61
4*	Minimum Setback from Interior Side Yard of Platform Structure	1.2 m	0 m

Variance A-92/21	Zoning Provision	Required	Proposed
1	Maximum Front Yard Setback	6.85 m	7.62 m
2	Permission for Garage to Protrude Beyond the Corresponding Wall of Dwelling Unit	0 m	2.5 m
3	Reduction of the Minimum Interior Side Yard Setback	1.2 m	0.75 m

* Upon review by staff this variance #4 is not required. Please see Minor Variance section in this report.

Location and Site Description

The subject lands are located on the southwest corner of South Drive and Forest Hill Road, east of Glenridge Avenue. The immediate neighbourhood has a mix of one and two storey detached dwellings. The lot 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 Low Density Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E8. The Low Density Residential designation permits a variety of dwelling types, including semi-detached dwellings, at a density of 20-32 units per hectare. The existing property has a residential density of approximately 9 units per hectare. The proposed development would increase the density to 17.8 units per hectare, which is closer to the target density outlined in the Official Plan. No Official Plan Amendment is required.

Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Semi-detached dwellings are a permitted use in this zone.

Planning Analysis

Consent

Consent Application **B-31/21SC** requests to sever part of 124 South Drive and create a new lot to be known as 128 South Drive. Section 16.11.3 of the GCP states that consents to sever will only be permitted where they contribute to the infilling of areas that are already substantially developed, and where the size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

Both the proposed and retained lots meet the minimum zoning by-law requirements for lot area. The parcel containing the existing dwelling (Part 1) exceeds the maximum permitted lot area for a semi-detached dwelling in the R2 Zone. Overall, the proposal demonstrates that there is sufficient space on both retained lots to accommodate the existing and proposed dwelling units, with sufficient parking and adequate amenity space. While one lot is oversized, it is much closer to the desired lot area than the currently existing parcel. The severance allows for appropriate infill development while maintaining the existing dwelling and supporting the existing character of the lot and the immediate neighbourhood. Staff find that the size, shape and configuration of both the retained and proposed parcels are appropriate for the continued and intended uses and optimizes development potential of the lands.

Staff are satisfied that the proposal is consistent with the Official Plan. The concurrent Minor Variance Application considered in this report will address zoning deficiencies.

There are no anticipated impacts to neighbouring properties or the natural environment as a result of the severance. Staff are supportive of Consent Application **B-31/21SC**, subject to the conditions outlined in the recommendation.

Minor Variance Application A-91/21 (Part 1)

Variance 1

Variance 1 requests an increase of the maximum lot area for a semi-detached dwelling from 465 m^2 to 738 m^2 for Part 1 known as 124 South Drive. Currently the dwelling is a detached home on a lot which is 1,124 m^2 in size, well over the maximum lot area for a detached dwelling in the R2 zone. As proposed, the existing dwelling unit will not change in size; however, the lot will be severed to facilitate the development of the other semi-detached dwelling. This proposed increase in maximum lot area for Part 1 is closer to the target lot area than the existing lot. Staff find this variance to be minor in nature.

The proposed lot size for Part 1 is not unusual compared to other corner lots within the neighbourhood. The variance would allow for context sensitive development while maintaining the overarching character and development pattern of the surrounding neighbourhood. Staff find this variance facilitates an appropriate use of the lands.

The subject property is designated as Low Density Residential in the Official Plan, which has a target density of 20-32 units per hectare. The maximum lot area requirements in the Zoning By-law are in place, in part, to ensure that development meets the density targets of the Official Plan. This proposal would result in an increase from one to two residential dwellings on an area of land that currently only contains one dwelling unit and is well under the Official Plan density target. This application would increase the density of the area in an appropriate and context sensitive manner, which is in line with the general intent of the Official Plan and the Zoning By-law. Staff recommend that Variance 1 of application **A-91/21** be approved.

Variances 2 & 3

Variance 2 for Part 1 seeks an increase of the maximum parking area coverage from 50% to 79%. Variance 3 seeks an increase of the maximum driveway width from 7.5 m to 18.61 meters. The subject parking area is currently existing.

The severance of the existing lot results in a reduction in lot frontage along South Drive for the existing dwelling and parking area. The reduced frontage results in a higher calculated percent coverage of driveway area. Section 4 of the Official Plan lays out Urban Design Guidelines which discourage expansive parking areas, particularly between buildings and the public road. The Zoning provisions for parking area width and coverage are intended to support the intent of the Official Plan.

The increase of the front yard parking area by 29 % is not considered minor or appropriate, nor is it considered to meet the intent of the Official Plan and Zoning By-law. The driveway width increase of 11.11 metres is not considered an appropriate width for a single dwelling unit. For these reasons, staff are not supportive of Variances 2 and 3 for Part 1. If the consent is approved, the owner must remove the portion of the driveway that exceed the maximum coverage and width provisions of the Zoning By-law. Staff recommend that Variance 2 and 3 of application **A-91/21** be denied.

For the information of the committee: Staff have had discussions with the application during the preparation of this report. As a result, the applicant has agreed to revise the plan to meet the zoning requirements for the driveway width and coverage on Part 1, and has provided an updated sketch demonstrating this revision that is attached to and forms part of this report as Appendix 1.

Variance 4
Variance 4 for Part 1 requests a reduction of the minimum setback from the interior side yard of a platform structure from 1.2m to 0m. However, after further consultation with the applicant it was found that the platform structure will be built at grade, and the setback is therefore already permitted by the Zoning By-law. Staff recommend that Variance 4 of application **A-91/21** be withdrawn.

Minor Variance Application A-92/21

Variance 1 & 2
Variance 1 seeks to increase the maximum front yard setback from 6.85 meters to 7.62 meters. In this case, the average building line of the two adjacent dwellings informs the required front yard setback requirement for the proposed semi-detached unit on Part 2. The intent of the average building line setback requirement is intended, in part, to encourage placement of new buildings to support and be consistent with the existing streetscape and contribute to context sensitive development.

Variance 2 seeks to allow the garage to protrude 2.5m beyond the corresponding wall of the dwelling unit. The purpose of this provision is similar to the maximum front yard setback provision noted above, with the added intent that a garage is not to be the prominent structure of the street-facing façade.

Section 7.1 of the Official Plan states that redevelopment should have regard for the integration of compatible building form, setbacks, spacing, siting, orientation, facades etc. in relation to adjacent buildings and the neighbourhood. In this case, the proposed development would be the only dwelling in the immediate neighbourhood with an increased setback that also results in a dwelling located behind the front wall of the garage. This is not considered to be in keeping with the intent of the Official Plan, particularly in such an established neighbourhood characterized by prominent dwellings and subordinate garages. Staff recommend that Variances 2 and 3 for Part 2 be denied.

For the information of the committee: Staff have had discussions with the application during the preparation of this report. As a result, the applicant has agreed to revise the plan to meet the zoning requirements for the dwelling setback on Part 2, and has provided an updated sketch demonstrating this revision that is attached to and forms part of this report as Appendix 1.

Variance 3
The third minor variance seeks a reduction in the interior side yard setback from 1.2m to 0.75m. This is requested to facilitate the construction of the proposed dwelling unit as well as the covered deck. The intent of the side yard setback is, in part, to ensure adequate

spacing between building walls and the property line for access, and for privacy, especially in cases where these buildings have more than one storey.

The proposed building does not have any windows on the main floor that would overlook the neighbouring property or its amenity space and may have a fence to divide the two properties. The proposed dwelling does not have a second floor where overlook may be an issue, and the proposed use of the land will not change as a result. The proposed 0.75 metres setback is considered sufficient to allow access to the building wall for maintenance purposes. Overall, staff find this variance to be minor in nature, appropriate for the use of the lands and in keeping with the general intent of the Official Plan and the 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-31/21SC** is in keeping with the relevant policies of the Official Plan, and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consent to sever be approved, subject to the conditions outlined in the recommendation.

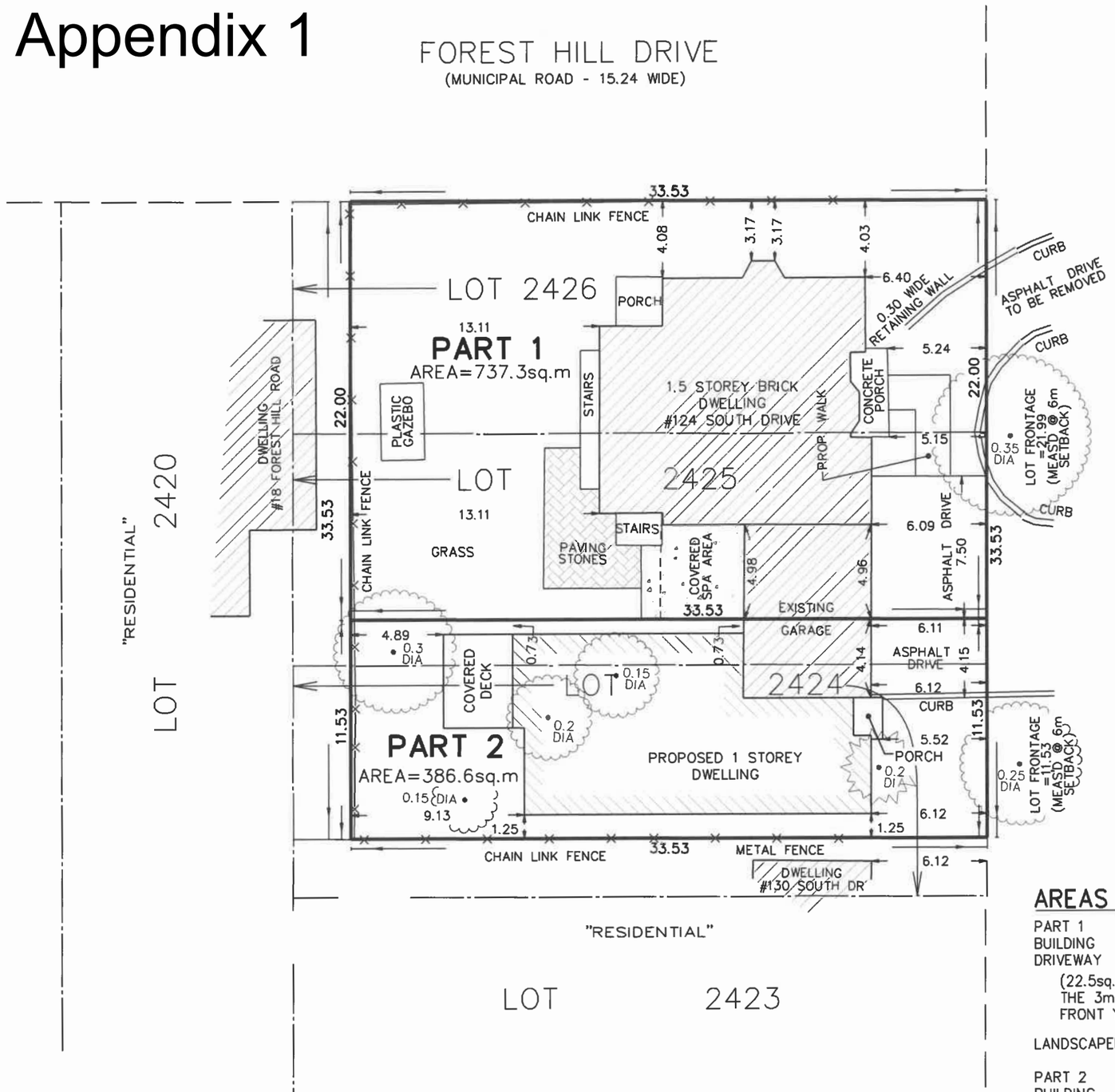
Having regard for the matters under Section 45(1) of the *Planning Act*, staff are of the opinion that Variance 1 of application **A-91/21,** and Variance 3 of application **A-92/21** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use and function of the lands. Staff recommend that said variances be approved.

Staff are of the opinion that Variance 4 of application **A-91/21** is not applicable based on information received from the applicant and recommend that said variance be withdrawn.

Staff are of the opinion that Variances 2 and 3 of application **A-91/21** and Variances 1 and 2 of application **A-92/21** are not in keeping with the general intent of the Official Plan and Zoning By-law, nor minor in nature or desirable for the appropriate use and function of the lands. Staff recommend that said variances be denied.

Prepared by:	Submitted by:	Approved by:
Adam Nanji Student Planner	Charlotte McEwan, MCIP, RPP Planner I	Bruce Bellows Senior Planner

Appendix 1



NOTE: THIS SKETCH IS NOT A PLAN OF SURVEY

SKETCH FOR PLANNING PURPOSES ONLY

124 SOUTH DRIVE
CITY OF ST. CATHARINES
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1 : 250

5 0 5 10 15 metres

J.D. BARNES LIMITED

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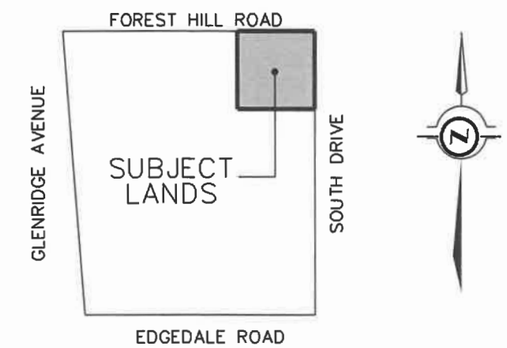
METRIC NOTE

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KEY PLAN (not to scale)



CITY OF ST. CATHARINES

LEGAL DESCRIPTION

PART OF LOTS 2424, 2425 & 2426, CORPORATION PLAN No. 2

BOUNDARY INFORMATION HAS BEEN DERIVED FROM AVAILABLE RECORDS AND FIELD MEASUREMENTS TAKEN ON JUNE 28, 2021. THIS IS NOT A PLAN OF SURVEY.

AREAS & COVERAGES

PART 1	
BUILDING	250.7sq.m (34.0%)
DRIVEWAY	45.8sq.m (6.2%)
(22.5sq.m OF THE DRIVEWAY IS WITHIN THE 3m FRONT YARD SETBACK = 34% FRONT YARD COVERAGE)	
LANDSCAPED OPEN SPACE	440.8sq.m (59.8)
PART 2	
BUILDING	200.8sq.m (51.9%)
DRIVEWAY	25.6sq.m (6.6%)
LANDSCAPED OPEN SPACE	160.2sq.m (41.4%)

CAUTION

(A) THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

(B) THIS SKETCH IS PROTECTED BY COPYRIGHT.

OCTOBER 14, 2021
DATE

DASHA PAGE
ONTARIO LAND SURVEYOR

J.D. BARNES LIMITED
SURVEYING MAPPING GIS
LAND INFORMATION SPECIALISTS
4318 PORTAGE ROAD - UNIT 2, NIAGARA FALLS, ON L2E 6A4
T: (905) 358-3693 F: (905) 358-6224 www.jdbarnes.com

TW	DRAWN
DP	CHECKED
OCT.14/2021	DATED:
21-16-167-00	Ref. No.

PLOTTED 10/14/2021 G:\2021\21-16-167\00\Drawing\21-16-167-00 LDC.dgn

October 5, 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 117210, 21 117215 & 21 117217

Re: 124 and 128 South Dr

In response to your correspondence dated September 27, 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.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 20 weeks to purchase a transformer.

We would also like to stipulate the following:

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

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

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

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

REPORT TO PLANNING DEPARTMENT
Re: CITY LAND DIVISION APPLICATION NUMBER B-31/21SC

October 5, 2021 **ENGINEERING FILE 300-36**

Hearing Date: October 20, 2021

Applicant: 2841157 Ontario Inc.

Location: 124 South Drive

ENGINEERING SERVICES	**South Drive**	**Forest Hill Road**
Water:	150mm PVC	200mm CI
Sanitary Sewer:	525mm PVC	250mm Clay
Storm Sewer:	None	None
Sidewalks:	None	None
Road Allowance Width:	21.34m (70')	15.24m (50')

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

Comment(s): It is noted that the Applicant proposes to sever Part 2 for the proposed construction of one-half of a semi-detached dwelling to be known as 128 South Drive. A remnant parcel (Part 1) known as 124 South Drive with the existing dwelling shall be retained to be converted to the other half of the proposed semi-detached dwelling, for continued residential use. The application would allow for each of the semi-detached dwellings to be owned / sold separately.

Roads

South Drive and Forest Hill Road are designated Community Streets in the City's Transportation Master Plan with desired widths of 20.0m (66'). South Drive is currently sufficient however Forest Hill Road is deficient along this frontage at 15.24m. Additional internal discussions have concluded Forest Hill Road would suffice with an 18.0m full width, therefore the City shall require a road widening be dedicated free and clear of any encumbrances to be known as Public Highway Forest Hill Road, a width measured from the centreline of the original road allowance as per plan of survey. The estimated width to be dedicated is 1.38m (4.5').

Sidewalks and Curbs

Sidewalks exist along the frontage of South Drive only. Although there is no imminent plan for sidewalks on Forest Hill Road, the City requires a cash-in-lieu payment of a future 1.50m wide sidewalk along this frontage, in order to complete the pedestrian and active transportation line west to Glenridge Avenue in the near future. The estimated costs of the cash-in-lieu payment shall be based on the applicant frontage along the right-of-way of 33.53m and the average tender costs for sidewalks at the time of payment. Currently, in 2021 the costs represent $194.45/m^2.

Engineering Services

Increased drainage challenges occur in these types of in-fill lot developments, where existing lots within established plans of subdivision occasionally do not have suitable drainage outlets in place. Although an individual lot drainage plan is a requirement for review and approval at the building permit stage, it shall be required as a condition of

severance to ensure that the lots can convey drainage flows to a suitable outlet and do not adversely affect abutting properties, nor the City boulevard, prior to the lots being created.

Sump pump flows are typically discharged to grade, when no opportunities exist to connect to a storm sewer in the road allowance. Since a storm sewer does not exist and is not envisioned for this section of Smythe Street, sump pump flows and roof leaders shall be required to discharge to grade at the front yards only, and shall be identified as to how on the prepared lot drainage plan, in accordance with the Property Standards By-law (2014-248).

The Owner shall be responsible to pay the fee for City crews to locate, trace, inspect and document the sewer service lateral and water service location currently in use for the existing dwelling, to confirm it does not conflict with or exist upon any abutting and/or future lot lines. This service shall be completed prior to both the severance finalization and demolition permit issuance, whichever comes first. If the services are determined to conflict with or exist upon abutting and/or future lot lines, the Owner shall be responsible to relocate the portions of these services on private property through a Plumbing Only permit. The Owner shall pay the City the fees required for City crews to install new water and sewer services to the new property lines during the building permit process.

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

- Have prepared by a Professional Engineer or an Ontario Land Surveyor, a Lot Grading & Drainage plan for review and approval; and
- Prepare a draft reference plan identifying the required City road widening along Forest Hill Road for review and approval by the City prior to its deposit in the Land Registry office; and
- Dedicate to the City, free and clear of any encumbrances a road widening of 1.38m to be known as Public Highway Forest Hill Road; and
- Pay to the City the cash-in-lieu payment for a future 1.50m wide concrete sidewalk along the 33.53m property frontage of Forest Hill Road; and
- Pay the fee for City crews to locate, trace, inspect and document the sewer and water laterals servicing the existing dwelling; and
- If determined existing services will conflict with abutting and/or future lot lines, the Owner shall be responsible to complete any relocation works on private property through a Plumbing Only permit and pay to the City the fees required to install new water sewer services, to the individual front property line for each lot to be serviced independently.

Prepared by: _____

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

c. James Denham, PBS (email only)

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist

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

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

COMMENTS

B-33/21SC, A-95/21 & A-96/21

186 Oakdale Avenue

DATE OF HEARING:
October 20, 2021

From: Munro, Elaine
To: Munro, Elaine
Subject: Cogeco Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Tuesday, September 28, 2021 9:20:55 AM

Elaine Munro ACST

Committee Secretary and Planning Technician

Tel: 905.688.5601 x1715
Email: emunro@stcatharines.ca

From: Doug Crown <doug.crown@cogeco.com>
Sent: Tuesday, September 28, 2021 9:03 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Cc: Banda, Wilrik <wbanda@stcatharines.ca>
Subject: Re: Request for Comments - Committee of Adjustment Notices and Applications for the October 20/21 CofA 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.

Hi Elaine
Cogeco has no issue with these applications.

Have a wonderful day

Thanks

Doug Crown
Network Planning Department

Doug.crown@cogeco.com

7170 Mcleod Rd
Niagara Falls Ont Canada

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12th, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Consents – October 20, 2021 hearing

B-26/21SC – 20 York Street

Comment:
- No comment

Condition:
- Be advised that the existing 'clothesline structure' must be removed.

B-27/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-28/21SC – 45 Lakeshore Road

Comment:
- No comment

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

B-30/21SC – 23 Frederick

Comment:
- No comment

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

- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-31/21SC – 124 South Drive

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

B-33/21SC – 186 Oakdale Avenue

Comment:
- No comment

Condition:
- That the applicant shall satisfy the Chief Building Official for the City of St. Catharines that, as a result of the proposed severance, that spatial separation requirements for the glazed openings and type of construction for the exposed building face of the existing dwelling facing south, meet the requirements of Subsection 9.10.14 and 9.10.15 of the 2012 Ontario Building Code as applicable.

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

St. Catharines

Planning and Building Services
Building and Development

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: October 12, 2021

Subject: Building Comments on Applications to the Committee of Adjustment
Minor Variance – October 20, 2021 hearing

NO.	ADDRESS	COMMENTS
A-86/21	80 Duncan Drive	Be advised that a building permit is required for the proposed second storey addition and rear deck. Note: a building permit is not required for the proposed shed if it does not exceed 108sf.
A-87/21	81 Vine Street South	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-88/21	617 Vine Street	Be advised that a building permit is required for the proposed accessory dwelling unit.
A-97/21	20 York Street	No comment
A-98/21	22 York Street	No comment
A-99/21	45A Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-100/21	45B Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.

NO.	ADDRESS	COMMENTS
A-101/21	45C Lakeshore Road	Be advised that a building permit is required for the 3 unit townhouse.
A-102/21	113 Moffatt Street	No comment
A-89/21	51 Roland Street	Be advised that a building permit is required for the proposed single detached dwelling and attached garage. (Part 1)
A-90/21	23 Frederick Street	No comment
A-91/21	124 South Drive	Be advised that a building permit is required for the proposed addition to the existing dwelling to create a semi-detached dwelling.
A-92/21	128 South Drive	No comment
A-95/21	190 Oakdale Avenue	No comment
A-96/21	186 Oakdale Avenue	No comment

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

From: Munro, Elaine
To: Munro, Elaine
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing
Date: Wednesday, October 13, 2021 9:58:51 AM

Elaine Munro ACST

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

From: Green, Stuart <sgreen@stcatharines.ca>
Sent: Wednesday, October 13, 2021 9:33 AM
To: Munro, Elaine <emunro@stcatharines.ca>
Subject: CRCS Comments RE: Committee of Adjustment Notices and Applications for the October 20/21 CofA Hearing

Hi Elaine

See below.

1. 80 Duncan Drive, Minor Variance, A-86/21 – 21 116870
   No comments

2. 81 Vine Street South, Minor Variance, A-87/21 – 21 117010
3. **No comments**

4. 617 Vine Street, Minor Variance, A-88/21 – 21 117074
   No comments

5. 20 York Street, Consent, B-26/21SC – 21 116872
   20 York Street, Minor Variance, A-97/21 – 21 117292
   22 York Street, Minor Variance, A-98/21 – 21 117297
   No comments

6. 45 Lakeshore Road, Consent, B-27/21SC – 21 116970
   45 Lakeshore Road, Consent, B-28/21SC – 21 116977
   45A Lakeshore Road, Minor Variance, A-99/21 – 21 117342
   45B Lakeshore Road, Minor Variance, A-100/21 – 21 117344
   45C Lakeshore Road, Minor Variance, A-101/21 – 21 117345
   Boulevard trees will be required for each unit along Lakeshore Road in compliance with Niagara Region Streetscape

requirements.

7. 113 Moffatt Street, Consent, B-29/21SC – 21 117007
   113 Moffatt Street, Minor Variance, A-102/21 – 21 117972
   No comments

8. 23 Frederick Street, Consent, B-30/21SC – 21 117080
   1 Roland Street, Minor Variance, A-89/21 – 21 117203
   23 Frederick Street, Minor Variance, A-90/21 – 21 117234
   A Boulevard tree will be required for the new lot.

9. 124 South Drive, Consent, B-31/21SC – 21 117210
   124 South Drive, Minor Variance, A-91/21 – 21 117215
   128 South Drive, Minor Variance, A-92/21 – 21 117217
   The boulevard tree will be required to be protected at the drip line during construction. No utilities should be proposed or installed within the drip line of the tree.

10. 186 Oakdale Avenue, Consent, B-33/21SC – 21 117268
    190 Oakdale Avenue, Minor Variance, A-95/21 – 21 117269
    186 Oakdale Avenue, Minor Variance, A-96/21 – 21 117270
    No comments

Stuart

Stuart Green OALA
Landscape Architect/Planner
Tel: 905.688.5601 x3155
Email: sgreen@stcatharines.ca

REPORT TO PLANNING DEPARTMENT
Re: LAND DIVISION APPLICATION NUMBER B-33/21SC

October 14th, 2021 **ENGINEERING FILE 300-36**

Hearing Date: October 20th, 2021

Applicant: Christopher Carter

Location: 186 Oakdale

Comment(s):

The owner wishes to sever Part 2 on the submitted sketch from Part 3 (186 Oakdale Avenue) and add it to Part 1 (190 Oakdale Avenue).

Existing Linear Municipal Services

The availability of municipal services is of no concern since the application is related only to a boundary line re-establishment and according to City records each lot is serviced independently.

Existing Municipal Services

The Owner shall pay to have City forces confirm the location of the existing water services and sewer laterals to each dwelling to determine if they cross any abutting and/or future lot lines. If any service is determined to cross an abutting and/or future lot line, the Owner shall be responsible to relocate the portion of these works on private property. Any such alterations on private property shall require the owner to obtain and pay for a Plumbing Only Permit. Any relocation of the services within the City ROW will be done by City crews at the owner's expense. This work must also be paid for and completed prior to finalizing this severance.

If the service cannot be relocated, but rather requires a completely new service, the Owner shall arrange for the City to install these services from the City owned main line sewer and watermain to the front property line and decommission the existing services to be abandoned. If this work is required, it shall also be paid for and completed prior to completion of the severance.

Lot Grading and Drainage

There is no building construction or regrading proposed therefore the City will not required a Grading and Drainage Plan at this time.

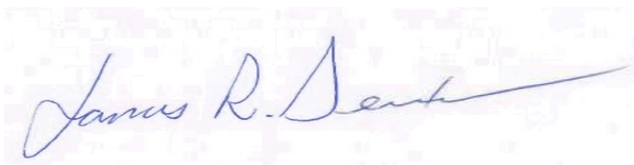
Condition(s):

Prior to final approval of this consent the owner shall,

- Pay to have City forces confirm that both the location of the existing water services and sewer laterals to the existing dwellings.
- If any service is determined to cross an abutting and/or future lot line, the Owner shall

be responsible to relocate the portion of these works on private property.

- Obtain and pay for a Plumbing Only Permit to complete the works on private property.
- Pay City crews to relocate any portion of the conflicting services within the City ROW.
- If the service cannot be relocated, but rather requires a completely new service, the Owner shall pay the City to install these services from the City owned main line sewer and watermain to the front property line and decommission the existing services to be abandoned.



Prepared By: _____

James Denham, P. Eng.
Development Engineering Technologist

Memorandum

To: Elaine Munro, ACST, Committee Secretary & Planning Technician
From: James Denham, P.Eng. Development Engineering Technologist
CC: Brad Johnston, C.E.T. Development Engineering Technologist
Date: October 4th, 2021
Hearing Date: October 20th, 2021
Subject: **Committee of Adjustment - Minor Variance Applications**

1. 80 Duncan Drive, Minor Variance, A-86/21
2. 81 Vine Street South, Minor Variance, A-87/21
3. 617 Vine Street, Minor Variance, A-88/21
4. 20 York Street, Minor Variances, A-97&98/21
5. 45A,B&C Lakeshore Road, Minor Variances, A-99,100 &101/21
6. 113 Moffatt Street, Minor Variance, A-102/21
7. 51 Roland Street, Minor Variance, A-89/21
8. 23 Frederick Street, Minor Variance, A-90/21
8. 124&128 South Drive, Minor Variances, A-91&92/21
9. 186&190 Oakdale Avenue, Minor Variances, A-95&96/2

Development Engineering have reviewed the above applications and have no comments or objections to those that are currently under our review through a Planning process. However for others we have the following comments:

- The applicant for 80 Duncan is to be advised that a Lot Grading Plan may be a requirement for building permits for works that increase the impervious footprint on a property.

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

St. Catharines | Memorandum

To: Elaine Munro, Committee Secretary and Planning Technician

Cc:

From: Steve Bittner, Transportation Technologist

Date: October 5, 2021

Subject: Committee of Adjustment Comments (October 20, 2021 Hearing)

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

Steve Bittner
Transportation Technologist