

## Agenda

**Wednesday, July 27, 2022**

### **Electronic Participation at 5.00 pm**

Under the authority of the *Statutory Powers Procedure Act*, this meeting of the **Committee of Adjustment** will be held electronically.

This Meeting may be viewed online at [www.stcatharines.ca/youtube](http://www.stcatharines.ca/youtube)

**Public Comments:** The public may submit comments regarding agenda matters by contacting [wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca) by July 26, 2022 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  
Adam Selvig, Member  
Kristen McNutt, Member

### **Staff Liaison:**

Wilrik Banda, Acting Secretary-Treasurer  
Natasha MacDonald, Planner  
Evan Acs, Planner  
Margaret Josipovic, Manager of Planning  
Jelena Pusara, Development Agreement Coordinator

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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 – June 22, 2022**
  6. **Declarations of Interest**
  7. **Request for Adjournment**

- i) Item #13, 38 Elgin Street, Minor Variance, A-87/22 – 22106666  
A request from staff has been received to defer the application to the August 24, 2022 Hearing as the requested variance is incorrect and there being insufficient time to recirculate the updated Notice of Hearing.
- 8. i) Appointment of Margaret Josipovic as the interim Secretary-Treasurer.
- 9. **Applications**
  - 1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843
  - 2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282
  - 3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640
  - 4. 90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605
  - 5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600
  - 6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604
  - 7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349
  - 8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639
  - 9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674
  - 10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725
  - 11. 574B Ontario Street, Consent, B-39/22SC – 22 106701  
574C Ontario Street, Consent, B-40/22SC – 22 106704
  - 12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654
  - 14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736
  - 15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746
  - 16. 155 Ontario Street, Consent, B-47/22 – 22 107019  
155 Ontario Street, Consent, B-48/22 – 22 107023  
155 Ontario Street, Minor Variance, A-96/22 – 22 107026
- 10. **New Business**
- 11. **Date of next meeting**  
Wednesday August 24, 2022 at 5.00 pm
- 12. **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

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# **COMMENTS**

**A-87/22**

**38 Elgin Street**

**DATE OF HEARING:**  
**July 27, 2022**

27 Bayview Drive  
St. Catharines, Ontario  
N2L 4Y3

Tel: [REDACTED]

E-Mail: [REDACTED]

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TRANSMITTAL

**To: Wilrik Banda, City of St Catharines**  
**From: James McWilliam**  
**Date: July 20, 2022**

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**Re: Committee of Adjustment, Notice of Hearing, Amanda # 22106666,  
Submission # A-87/22, 38 Elgin Street**

I live at 27 Bayview Drive, 2 homes away from the subject property.

I am opposed to this minor variance to reduce required parking spaces from 3 to 2 for the following reasons

- The property is located on a short block that is already cluttered with on-street parking that is not really street parking but encroaching on the grass boulevard, resulting from: 3 residences without off street parking, short driveways for the remainder of the homes and most homes with multiple automobiles and requiring parking on the boulevard
- Some of the existing homes have created non-formal parking spaces on the street boulevard by installing gravel patches for their cars, otherwise parking is located on the grass boulevard resulting to significant damage to the grass
- The street is also subject to non-resident parking for visitors to Port Dalhousie beach and restaurants/bars
- We have noticed that most of the renters at the residence arrive with between 2-3 cars and need to park on the boulevard
- I may be wrong but I do not think renters are using the garage as a parking option

Respectfully

James McWilliam, landscape architect, BES, BLA, OALA, CSLA



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

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CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.



**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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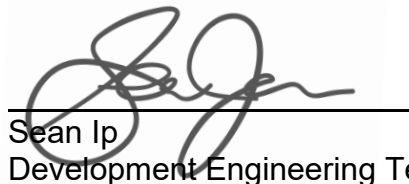
**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

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

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# **COMMENTS**

**A-20/22**

**14 Glen Park Road**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**



2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:



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Sean Ip  
Development Engineering Technologist



**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 22, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-20/22

**File:** 22100843

**Subject:** 14 Glen Park Road

### Recommendation

That Application **A-20/22** by David Malone, as outlined in the Notice of Hearing, be approved.

### Report The Proposal

The Applicant proposes to build a detached garage with a covered patio to the rear of an existing residential dwelling. The proposed accessory structure is larger than permitted in the City's zoning by-law. The variances outlined in the table below are requested to facilitate the proposed garage:

Variance	Provision	Required	Proposed
1	Maximum accessory structure height	4.5m	5.282m
2	Maximum total lot coverage of accessory structures	10%	14.8%

The application was deferred at the Committee of Adjustment hearing on April 13, 2022. Since that time, the applicant has amended the plan to reflect a smaller accessory structure footprint, increased side yard setback, increased rear yard setback, and no windows within the rear roof gable.

### Location and Site Description

The subject property is located on the south side of Glen Park Road, east of Geneva Street and between Lora Street and Duncan Drive. The property is currently occupied by a one-storey detached dwelling and detached garage. The existing detached garage is proposed to be demolished. The surrounding neighbourhood is low density residential and predominantly comprised of detached dwellings.

## **Circulation of Application**

This Application was circulated to all appropriate departments and agencies. No objections were received. However, it was noted that a Lot Grading Plan may be required at the building permit stage.

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

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

### **Zoning By-law (2013-283)**

The subject property is zoned Low Density Residential - Suburban Neighbourhood (R1). Detached dwellings with associated accessory structures are permitted in this zone.

## **Planning Analysis**

### **Variance 1**

Application A-20/22 requests an increase in the maximum height for an accessory structure from 4.5 metres to 5.282 metres, resulting in an increase of 0.782 metres.

Section 7.1 (c) of the Garden City Plan states that development and redevelopment shall be evaluated having regard for building, site, streetscape and neighbourhood context sensitive design to ensure the integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood.

Zoning By-law 2013-283 restricts the height of accessory structures to 4.5 metres. The intent of the provision is to minimize the impacts of massing, so that structures do not overwhelm neighbouring properties and amenity areas. In part, the height is limited to avoid overshadowing impacts on neighbouring properties, since accessory structures are permitted closer to the edges of the property than the primary dwelling.

The proposed garage is located at a 0.8 metre setback along the interior side lot line and 2.438 metres setback along the rear lot line. These setbacks comply with the minimum required for an accessory structure, maintains the interior side yard setback to the existing detached garage (0.8 metres), and provide an increased setback from the rear lot line, from 0.6 metres (minimum required) to 2.438 metres (proposed) to mitigate potential impacts associated with the proposed increase in height. The roof of the garage angles away from the neighbouring property to the west, with skylights within the roof, but no windows overlooking the adjacent properties, so staff have no concerns about impact from potential overlook into neighbouring yards.

Given the proportions of the roof and proposed window locations for the proposed accessory structure, the increase in height by 0.782 metres is unlikely to create any

adverse affects on neighbouring properties. In the opinion of staff, the requested variance is considered minor in nature, desirable for the appropriate development of lands, and meets the general intent of the Official Plan and Zoning By-law.

## Variance 2

The Applicant requests an increase to the maximum lot coverage for accessory structures from 10% to 14.8% to accommodate a new detached garage. The subject property currently has a detached garage, which is proposed to be removed and a new, larger detached garage, with associated covered patio, constructed in its place.

The intent of the 10% accessory structure lot coverage limit is to ensure that garages and other accessory structures remain accessory to the primary use of a property, as well as to avoid potential conflicts with neighbouring dwellings, including overlooking or overwhelming the subject or neighbouring yards. The requested increase to 14.8% is mitigated by a few factors. The existing garage would be demolished and replaced with the new one in the same location. The dimensions of the new garage will be maintained in terms of the width, but it will be higher and longer. The existing driveway width will be maintained for the proposed garage. Further, while an increase in coverage is proposed, the total area of the accessory structure, including the covered patio, is less than the lot area coverage of the existing detached dwelling, demonstrating that the accessory structure is secondary to the principal use (dwelling).

Part D, Section 7.1 of the Garden City Plan states that development and redevelopment within the Urban Area shall be evaluated having regard for building, site and context-sensitive design to ensure the integration of compatible building form, scale, massing, height, siting, and orientation with adjacent buildings, properties and the surrounding neighbourhood. As proposed, the increased coverage aligns with these policies. It is sensitive to the context of the neighbourhood and integrates into the established built form of its surroundings, as detached garages can be observed on other properties within the surrounding neighbourhood.

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

## Conclusion

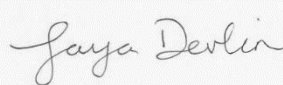
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-20/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

**Prepared by:**



Dasha Litviniuc

**Submitted by:**



Taya Devlin

**Approved by:**



Margaret Josipovic

Student Planner

Senior Planner

Manager of Planning Services

**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-74/22**

**108 Vansickle Road**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

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108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

---

**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

Tel: [905.688.5601](tel:905.688.5601) x2163

Email: [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

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< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.



**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

---

Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-74/22

**File:** 22104282

**Subject:** 108 Vansickle Road

### Recommendation

That Application **A-74/22** by Connie Marie Dick and Frederick John Dick, as outlined in the Notice of Hearing, be approved.

### Report The Proposal

The Applicant proposes to build an accessory dwelling unit in the basement of an existing detached dwelling. The proposed accessory dwelling unit is larger than what is permitted in the City's Zoning By-law. The variance outlined in the table below is required to facilitate the accessory dwelling unit.

Variance	Provision	Required	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m <sup>2</sup>	85.7m <sup>2</sup>

### Location and Site Description

The subject property is located on the east side of Vansickle Road and south of McIntyre Road. The property is surrounded by detached dwellings to the north, south, and east. Joseph L McCaffery Sports Park is located to the west of the property. There is a detached dwelling on the subject property.

### Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. However, it was noted that a Lot Grading Plan may be required at the building permit stage.

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7. Detached dwellings with an accessory dwelling unit are permitted in this designation.

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

The applicant is requesting an increase in the permitted floor area from 60 square metres to 85.7 square metres. Zoning By-law 2013-283 permits one interior accessory dwelling unit in any detached dwelling unit provided it has a floor area not greater than 60 square metres or 40 per cent of the overall floor area, whichever is less. The provision intends to ensure the interior accessory dwelling unit is subordinate in terms of its scale and relationship to the primary dwelling unit. The alterations to the detached dwelling are entirely internal, there is no addition proposed nor an increase in building mass.

Staff consider the requested increase in maximum floor area for an interior accessory dwelling unit from 60 square metres to 85.7 square metres to be minor in nature. The additional 25.7 square metres in living area does not create any additional impact on the surrounding neighbourhood. Additionally, the proposed basement unit makes up approximately 24.5% of the floor area of the house. The interior accessory dwelling unit is visually undetectable from the street and has its own entrance to the rear. Although larger than what the Zoning By-Law permits, the accessory dwelling unit is secondary to the principal ground floor unit, maintaining the intent and purpose of the Zoning By-Law. The subject property meets all other zoning provisions in consideration of the interior accessory dwelling unit, including parking.

Section 2.3.3.5(iv) of the Garden City Plan (Official Plan) provides that new housing will be encouraged to support housing diversity for a range of life stages, incomes, and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities. The proposed interior accessory dwelling unit contributes to the range of dwelling types within the City. As such, Staff find that this application is minor in nature, is desirable for the appropriate use of the lands, and meets the general intent of the Official Plan and Zoning By-law. Staff recommend approval of Application **A-74/22** accordingly.

## **Conclusion**

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-74/22** 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:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Brenda Stan  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

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

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

---

# **COMMENTS**

**A-75/22**

**4 Woodglen Drive**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.



**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-75/22

**File:** 22106640

**Subject:** 4 Woodglen Drive

### Recommendation

That Application **A-75/22** by Anthony Iannino and Teresa Iannino, as outlined in the Notice of Hearing, be denied.

### Report The Proposal

The applicants propose to construct a detached garage in the front yard. To facilitate the proposed construction, Application A-75/22 seeks relief from the City of St. Catharines Zoning By-law 2013-283 through the variances detailed below:

- Variance 1 A request to permit an accessory building to be located in the front yard.*
- Variance 2 Permission for the detached garage to protrude beyond the corresponding wall of the dwelling unit.*
- Variance 3 An increase in the maximum driveway width from 7.5m to 21.0m.*

### Location and Site Description

The subject property is located on the north side of Woodglen Drive and west of Brisbane Glen Street. The surrounding neighbourhood is residential containing primarily detached dwellings. The subject property is presently occupied by a detached dwelling with an attached garage, shed, and platform structure at the rear.

### Circulation of Application

This Application was circulated to all appropriate departments and agencies. It was noted that a Lot Grading Plan may be required at the building permit stage upon approval of the application.

CRCS staff reviewed the application and indicated that the proposal will have a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. CRCS staff recommend that the application be denied.

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

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

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

### **Variance 1**

Zoning By-law 2013-283 states that accessory buildings shall not be located in the front yard. Accessory buildings are restricted to the rear and interior side yards to minimize adverse impacts on streetscape and the front amenity areas of neighbouring properties. This also ensures that accessory structures remain as visually and functionally subordinate to the primary use of the property – being housing. The proposed detached garage in the front yard will dominate the frontage of this residential lot and negatively impact both the character and quality of the street. Staff further note that the existing house already has a garage and that the proposal would result in a total of three garage bays on the front of this property, which is not compatible or appropriate for this neighbourhood. The proposed garage would overwhelm the site and negatively impact the streetscape and the surrounding properties. Staff recommend denial of Variance 1 as it is not minor, is not in keeping with the intent of the Official Plan or Zoning By-law, and is not desirable to permit an accessory building in the front yard.

### **Variance 2**

Variance 2 requests permission for the detached garage to protrude beyond the front wall of the dwelling unit. This by-law provision is intended to ensure that when detached garages are proposed that they remain behind and subordinate to the house.

The City's Urban Design policies described in the Official Plan outline that development and redevelopment within the City of St. Catharines are based on sustainable design principles, including innovative, sustainable and context-sensitive building, site, streetscape and neighbourhood design, a stimulating, attractive, and safe public realm, and compatibility of new development and redevelopment within established areas. Garages should not be the dominant feature within the composition of a dwelling, and their visual impact on the streetscape should be minimized.

The applicant is requesting that the detached garage for 4 Woodglen Drive be permitted to project more than 8.5 metres, entirely in front of the existing home. The proposed garage would be the dominant feature on the property and the first visible structure from the street. The proposed garage would also result in the frontage yard of the home being used entirely for an excessive amount of car storage, which is neither appropriate nor desirable. The impact on the streetscape is significant. The requested variance is not

minor in nature, is not in keeping with the intent of the Official Plan or Zoning By-law, and is not desirable for the appropriate use of the property. Staff recommends denial of Variance 2.

### **Variance 3**

Zoning By-law 2013-283 establishes a maximum driveway width of 7.5 metres or 50% of the front lot line distance, whichever is less. This provision is meant to ensure that driveways and the associated parking of vehicles does not dominate the lot frontage and maintains the majority of the lot frontage as landscaped area. Variance 3 of Application A-75/22 requests an increase in the maximum driveway width from 7.5 metres to 21.0 metres. The 13.5 metre increase in driveway width is not minor in magnitude or impact. The increased driveway width would stretch across the front of the house and result in a predominantly paved front yard condition that would negatively impact the character and appearance of the street, as well as facilitate parking access the front yard. The requested variance is not minor in nature, is not in keeping with the intent of the Official Plan or Zoning By-law, and is not desirable for the appropriate use of the property. Staff recommend that this Variance 3 of Application A-75/22, be denied.

## **Conclusion**

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-72/22** is not keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, nor desirable for the appropriate use of the lands. Staff recommend denial of the Application.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Brenda Stan  
Planner I

**Approved by:**



Scott Ritchie  
Senior Planner

**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

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# **COMMENTS**

**B-38/22SC, A-03/22 & A-77/22**

**90 Louisa Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Comments received 90 Louisa St  
**Date:** Tuesday, July 19, 2022 3:58:10 PM

---

## Elaine Munro ACST

**Realty/Claims Assistant**

**Tel:** 905.688.5601 x1466

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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

From: Clarice <>

Sent: Tuesday, July 19, 2022 9:00 AM

To: Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>

Subject: Application A-77/22

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

Hello

This e-mail is in regards to AMANDA number 22105605, submission number A-77/22.

An application has been made to reduce the required parking spaces from four to zero at the property on Louisa Street .

Since the properties at 92 and 94 Louisa Street, both owned by the applicant, contain four rental units, it is quite possible that each unit could have tenants with two vehicles. The very real possibility of eight vehicles parked on the street just from this property leaves little-to-no space for other residents to find parking. Tenants from this property have frequently been “squeezing” into the little parking space in front of my neighbour, trying to find parking, resulting in the back end of their vehicle right in line with the edge of my driveway.

Allowing zero parking spaces at this property would fill the street with vehicles and create difficulty providing adequate snow removal.

There is good reason that the City by-law requires one parking space per rental unit and I am requesting that the by-law be upheld and the minor variance not be granted.

The applicant had ample opportunity to provide the required number of parking spaces (four) as required by the by-law, when the extensive renovation was made and the property next door was built. Neighbours should not have to have their ability to park in close proximity of their homes eliminated because of the applicant’s action/inaction.

Please do not approve the minor variance reducing parking from four to zero parking spaces.

Regards,



Sandra Rostic

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Comments Received 90 Louisa Street  
**Date:** Tuesday, July 19, 2022 3:55:36 PM

---

## Elaine Munro ACST

**Realty/Claims Assistant**

**Tel:** 905.688.5601 x1466

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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

**From:** Allan Rostic <>

**Sent:** Monday, July 18, 2022 3:46 PM

**To:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>

**Subject:** Municipal waiver request: submission #B-38/22C & A77/22, & B38/22SC & A-03/22

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.

22105608 & 22120943 & 22105605

Notes. (Please do not share my email address with the applicant. This submission is from the owner of the property at 97 Louisa street)

A. There is no objection from the applicant seeking relief or requesting a change to create two lots, or the lack of frontal space relief. The comments are for the applicants requested relief from the elimination of all parking spaces under the current bylaw.

1. The city has posted 2HR parking only signs on both sides of Louisa street. So theoretically, residents can only park for 2 hours. Believe the city erected the 2hr parking only signs to alleviate Louisa street from being used as parking for local downtown businesses. Now it applies to all vehicles on Louisa street.

With the possibility of 14 vehicles of the six (6) existing rental units parking on the street, the other/exiting Louisa street residents will be shorn of their casual parking.

2. Most Louisa street renters & residents desire to park in front or close by their respective homes. All these extra vehicles pose undue congestion concerns for existing driveways as existing driveways could prove difficult to enter & exit onto Louisa street.

3. Parking on Louisa street longer than 2 hours can be allowed if a vehicle owner purchases a city-issued parking tag. Would the city allow up to 14 parking tags be issued for the Louisa street area?

Would the rental unit vehicles actually buy a parking tag? Not purchasing a parking tag could become a troublesome nuisance. Some rental unit vehicles might purchase a parking tag, some may not, depending on the level of bylaw enforcement. Why should a resident buy a parking tag if the rental vehicles can escape buying one?

4. 90 Louisa street has 2 rental units, with a 3rd unit possibly coming on line as a additional rental. Possible vehicles would be six (6). 92 & 94 Louisa street has 4 rental units. Possible vehicles would be eight (8). This means that at any one time for rental parking alone on Louisa street there could be 14 vehicles minus the already existing 4 spots on the 2 properties, leaving up to ten (10) vehicles to find a suitable spot on Louisa street.

5. Additionally, if the applicant gets relief from the parking spaces existing bylaw, it circumvents the city's ability to adequately regulate parking spaces properly, makes a mockery of the bylaw, and sets & allows a dangerous precedent that other new builders can use to alleviate their building mistakes.

6. The city has the authority to clear the streets of vehicles to allow for snow removal & other issues that arise. Where exactly are these extra vehicles supposed to go to facilitate that? Snowfall in the winter already makes the streets narrower. Extra vehicles on the street will add additional difficulties to negotiate parking, entering & leaving driveways & possibly bring difficult plowing issues for snowplow drivers.

7. The city has implemented a parking requirement that new construction builders should have examined by the applicant in a timely manner. Is there a sufficient reason why the applicant could not have adhered to the bylaw before or during construction? Did the applicant seek or request advice from the city before construction began in order to modify his plans to be in compliance? No, the applicant in violation of the bylaw seeks to remedy his problem a considerable amount of time after construction ended.

The applicant seeks relief from the parking space bylaw after the fact but offers no real solution to the issue/problem. It appears that the applicant is seeking relief to get out from under the city bylaw requirements in total. That is not a solution to the situation the applicant created.

It also appears/seems that the applicant does not seek to mitigate the problem or offer a reasonable compromise solution, the applicant appears to just want to remove & end his obligations under the bylaw.

Perhaps the applicant might cement in the laneway between 92 & 94 Louisa street & create adequate parking spaces behind the two buildings?

Slainte,  
Sent from my iPad

# RICHARD S. HALINDA LAW PROFESSIONAL CORPORATION

Barrister and Solicitor

*Richard S. Halinda, B.A. L.L.B.*

richard@halinda.ca

1222 Garrison Road, Fort Erie, ON L2A 1P1 (P) 905 871 4556

July 20, 2022

City of St. Catharines  
Committee of Adjustments  
PO Box 3012  
50 Church Street  
St. Catharines, Ontario  
L2R 7C2

Attention : Wilrik Banda  
Acting Secretary-Treasurer

RE: Severance Application B-38/22SC:  
Minor Variance Application A-03/22:  
Minor Variance Application A-03/22

Dear Mr. Banda:

Further to our telephone conversation earlier this week, we confirm that on behalf of Sandra Rostic (97 Louisa Street), Wendy Harrison (93 Louisa Street) and Carolyn Halinda (88 Louisa Street), we now submit the following comments in regards to Applications B-38/22SC, A-03/22 and A-77/22:

Severance Application B-38/22SC:

This application is to create two parcels with one residential structure on each. The Applicant acquired this entire property as one parcel. The east portion had an existing triplex building located thereon at that time. Since the acquisition of the property, the triplex has been converted to a fourplex and a new residential building with two residential units (one upper and one lower) has been constructed on the west portion of the property.

We are not sure how a building permit was issued to construct the new residential building with two units when the property already had an existing residential building (triplex/fourplex) on it. Are multiple buildings allowed to be constructed on one parcel of property? Is this application being filed now to ask for permission/forgiveness of the construction of a the newly constructed building on a parcel that already had an existing residential building on it?

Minor Variance Application A-03/22:

While we have no objection to the reduction of the proposed frontage from 9 meters to 8.52 meters, one of the issues with having a residential building with two units on this parcel is that there is insufficient parking on site. The tenants are forced to park on the street. Louisa street is very narrow and very busy. Finding parking on the street is difficult and in the winter with these cars parking on the street the snowplows are unable to properly clean the streets and take the snow away, leaving large drifts of snow in front to the areas in front of the other resident's driveways, making it at sometimes impossible to get access to the street without having to shovel out the street as well as their own driveways.

Minor Variance Application A-03/22:


While we have no major objection to the reduction of the proposed frontage from 18 meters to 16.31 meters if the Committee considers this to be minor and within the scope of a Minor Variance application, we do object to the reduction of the required parking spaces from 4 to 0. As stated above in Application A-03/22, the Applicant has created a major issue with the expansion of the existing triplex to a fourplex and the construction of the residential building with two residential units as this has forced his tenants (some of which have 2 cars per household) onto Louisa Street for parking. When the Applicant recently rebuilt/remodeled the triplex into a fourplex, two driveways were installed in front of the building. While we recognize that they may not have enough depth to satisfy the City's 5.2 meter required depth for a parking space, at least those two units are there for tenant use. At worse, this application should be requesting a reduction of the parking space depth from 5.2 meters to whatever depth the existing driveways as constructed currently have. In addition, there should be two other parking spaces provided somewhere on the site to satisfy the requirement on one parking space for each unit.

The on the street parking issue and snow removal issued raised in A-03/22 above also apply to this Application.

In addition, there appears to be sufficient space behind the fourplex for the Applicant to create a parking area that would allow each of the tenants to have a parking space that complies with the size requirements of the zoning bylaw. There also appears to be sufficient space between the two existing buildings to allow vehicles to get access a parking area behind building.

We thank you and the Committee for your time and consideration to these applications and our comments contained herein. We all want to be good neighbors and work with each other, however, the parking problem created by these additional residential units needs addressing.

Yours truly,



Richard S. Halinda  
RSH:rh

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**



2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

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CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

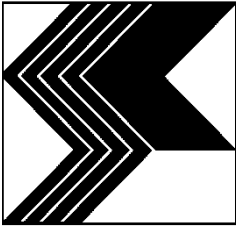
**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*

**REPORT TO PLANNING DEPARTMENT**  
**Re: LAND DIVISION APPLICATION NUMBER B-38/22SC**



July 13, 2022

**ENGINEERING FILE 300-36**

**Hearing Date:** July 27, 2022  
**Applicant:** AK Property Holdings Inc.  
**Location:** 90 Louisa Street

**MUNICIPAL SERVICES**

<b>Water:</b>	100mm C.I.
<b>Sanitary:</b>	250mm Concrete
<b>Storm:</b>	None
<b>Sidewalks:</b>	Yes
<b>Road Allowance:</b>	18.28m

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

**Comment(s):** It is noted the Owner wishes to sever Part 1 recreating the lot known as 90 Louisa Street with the existing detached dwelling. A remnant parcel (Part 2) is to be retained for continued residential use of the existing fourplex dwelling.

**Roads**

Louisa Street is designated a Community Road as per the City’s Transportation Master Plan, with a desired right-of-way width of 20.0m. Its current width is 18.28m. Therefore, a widening along the frontages of both Parts 1 & 2, measured from the centreline of the original road allowance of approximately 0.86m shall be transferred to the City, free and clear of any encumbrances to be known as Public Highway Louisa Street. A draft reference plan shall be submitted for review and approval prior to the registration in the Land Registry Office and forwarded to the City. The City will then move forward with acceptance of the land transfer by Municipal By-law.

**Sidewalks**

Sidewalks currently exist along Louisa Street. There are no further comments with respect to these services from Development Engineering.

**Engineering Services**

The subject lands are currently under an existing Building Permit application and development process, to which has not yet been finalized, in specifically, lot grading conformance. This outstanding lot grading conformance shall be captured under the current Building Permit process. There are no further comments with respect to these services from Development Engineering.

**Condition(s):** Prior to the finalization of the proposed consent the Owner 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 Inglewood Road: and

**Prepared by:**



---

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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 22, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** B-38/22SC  
A-03/22  
A-77/22

**File:** 22105608  
21120943  
22105605

**Subject:** 90 Louisa Street (to be known as 90 Louisa Street and 92 Louisa Street)

## Recommendation

### Consent

That Application **B-38/22SC** submitted by AK Property Holdings Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner 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 Louisa Street.
2. That the Owner provide a draft reference plan, indicating the proposed widening for review and approval, prior to registration of the plan in the Land Registry Office.
3. That final approval of the concurrent Minor Variance applications be granted.
4. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
5. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
6. That all conditions of consent be fulfilled by July 27, 2024.

### Minor Variance

That Application **A-03/22** submitted by AK Property Holdings Inc., as outlined in the Notice of Hearing, be approved.

That Application **A-77/22** submitted by AK Property Holdings Inc., as outlined in the Notice of Hearing, be approved.

## Report

### The Proposal

The Applicant proposes a partial discharge of mortgage and consent to sever 361.0 square metres of land (Part 1), recreating the lot known as 90 Louisa Street with an

existing detached dwelling. The 691 m<sup>2</sup> remnant parcel (Part 2) will recreate the lot known as 92 Louisa Street which has an existing fourplex dwelling. The two lots have recently inadvertently merged on title. There are concurrent minor variance applications **A-03/22** and **A-77/22** to facilitate the proposal. The requested severance and variances are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
<b>B-38/22SC</b>	Part 1 (to become 90 Louisa Street)	361.0 m <sup>2</sup>	Part 2 (to become 92 Louisa Street)	691.0 m <sup>2</sup>

Application	Variance	Zoning Provision	Required	Proposed
<b>A-03/22</b> 90 Louisa Street (Part 1)	1	Minimum lot frontage for a detached dwelling	9 m	8.52 m
<b>A-77/22</b> 92 Louisa Street (Part 2)	1	Minimum lot frontage for a fourplex dwelling	18 m	16.31 m
	2	Minimum number of required parking spaces	4 parking spaces	0 parking spaces

## Location and Site Description

The subject properties are located on the south side of Louisa Street and east of Lake Street. The surrounding neighbourhood consists of a mix of low-rise residential dwellings, commercial uses and mixed-use buildings. There is an existing detached dwelling at 90 Louisa Street (Part 1) and an existing fourplex at 92 Louisa Street (Part 2).

## Circulation of Application

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

Two comments from members of the public were received regarding this proposal, who expressed concern regarding the proposed reduction in parking spaces for the existing fourplex dwelling at 92 Louisa Street.

## 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 and fourplex dwellings are permitted in this designation, at a density generally between 25 and 99 units per hectare of land.

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

### **Consent**

Application **B-38/22SC** requests to sever one lot from the subject property for the purpose to re-establish the two lots 90 Louisa Street and 92 Louisa Street, which recently inadvertently merged on title.

Section 16.11 of the Garden City Plan sets out a number of policies that applications for lot creation must be evaluated against. These policies state the lot creation shall 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 GCP also states that consents to sever shall not result in significant costs to the City. Staff note that the proposed severance will correct an existing situation where the lots merged inadvertently. The proposed two lots are located within the City's built boundary and within an area that is substantially developed. Staff find that the size, shape and configuration of both the retained and proposed parcels are appropriate for the continued and intended uses of the lands. Despite the reduced lot frontages, both parcels meet target density and the majority of requirements as set out in the City's Zoning By-law. The retained lot with an existing fourplex is requesting a parking reduction due to the requested road widening and location of the dwelling. As discussed below, staff are of the opinion that the requested variances are minor in nature. There are no anticipated costs for the City as a result of the proposal.

As such, staff recommend that Application **B-38/22SC** be approved, subject to conditions outlined in the recommendation.

### **Road Widening**

Louisa Street is designated a Community Road as per the City's Transportation Master Plan, with a desired right-of-way width of 20.0 metres. Its current width is 18.28 metres.

As per the Official Plan, Council is committed to achieving "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provides "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to current standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities (sewer/water, hydro, gas, telecommunications, etc.).

To be consistent with road widening requirements and standards necessary to accommodate City and private utilities and complete street initiatives, staff are recommending as a condition that a road widening along the frontages of both Parts 1 & 2 of approximately 0.86 metres shall be transferred to the City to obtain half of the additional requirements necessary to ultimately achieve the desired road allowance width of 20.0 metres to be known as Public Highway Louisa Street.

## **Minor Variances**

### **Application A-03/22 and Variance 1 of Application A-77/22**

Application **A-03/22** and Variance 1 of Application **A-77/22** requests a reduction to the lot frontage for the proposed lots. Application **A-03/22** requests to reduce the lot frontage for the existing detached dwelling at 90 Louisa Street from 9.0 metres to 8.52 metres, resulting in a reduction of 0.48 metres. Variance 1 of Application **A-77/22** requests to reduce the lot frontage for the existing fourplex dwelling at 92 Louisa Street from 18.0 metres to 16.31 metres, resulting in a reduction of 1.69 metres. The proposed reduced lot frontages are considered to be minor in nature.

The intent of the minimum lot frontage requirement is to ensure appropriate lot shapes and sizes to accommodate specific uses. A minimum lot frontage also ensures that there is adequate access to a site and maintain a consistent streetscape. The proposed lot frontages of 8.52 metres and 16.31 metres are demonstrated to be sufficient to accommodate the existing buildings, appropriate setbacks, landscaping and site access. Staff note that the surrounding area comprises of lots with varying frontage widths and overall size. The area includes several lots similar in length and/or width to 90 Louisa Street and 92 Louisa Street. The proposed lots are consistent with the prevailing character of the surrounding lots. Overall, the proposed reduction in lot frontages is not anticipated to have negative impacts on the surrounding lands and are considered appropriate for the proposed developments. The dwellings have adequate spacing on either side, and the proposed lot areas are in keeping with the zoning requirements for the R3 zone.

Staff find the requested variances to be minor in nature, desirable for the appropriate development of lands, and meets the general intent of the Official Plan and Zoning By-law.

### **Variance 2 of Application A-77/22**

The Applicant has requested a reduction in the minimum parking requirement for the existing fourplex dwelling from four spaces to zero spaces. Zoning By-law 2013-283 requires a minimum of one parking space per dwelling unit, therefore four spaces are required for the fourplex dwelling. The proposed reduction will facilitate the continued use of a fourplex dwelling. Staff note that the existing two driveways for the fourplex at 92 Louisa Street do not meet the minimum parking space dimensions required in the current Zoning By-law. Once the requested 0.86 metre road widening is taken into effect, the existing driveways will be 1.03 metres short of being considered parking spaces.

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.

In this case, the subject property is located within 120m to bus stops at the north and south corners of Louisa Street and Lake Street. Both bus stops are serviced by the 306/406 transit routes which directly connect to the Downtown Terminal, offering connection to other parts of the City. The subject property is within walking distance to the City's downtown core which offers access to a range of uses and services. Given the property's location and availability of active modes of transportation, this demonstrates that private vehicle ownership may not be required or desirable for all future residents of the dwelling units. Staff also note that the subject property is within close proximity to the Downtown parking exemption area. In terms of parking, there is limited on-street parking available along Louisa Street with more on-street parking options available on nearby side streets. There is some space on the property that could be used for parking, however, the driveways are deficient in size to be recognized as parking spaces under the current Zoning By-law. Given this proposal is to recognize the existing situation for the fourplex dwelling, the proposed reduction of parking spaces to zero is not expected to have an adverse impact on parking supply in the area or cause excess parking spillover.

Considering the availability of active modes of transportation, on-street parking, and the site's proximity to the City's downtown core, staff are of the opinion that this variance is considered minor in nature, appropriate for the desirable use of the lands and is in keeping with the general intent of the Official Plan and Zoning By-law.

## Conclusion

Having regard for matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-38/22SC** is in keeping with the policies of the Official Plan and will have no adverse impacts on the surrounding area or environment. It is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation.

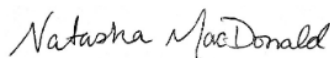
Having regard for matters under Section 45 of *The Planning Act*, staff are of the opinion that Applications **A-03/22** and **A-77/22** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the lands. Staff recommend approval of the Applications.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Natasha MacDonald  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services



**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

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# **COMMENTS**

**A-78/22**

**75 Bula Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:



1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-78/22

**File:** 22106600

**Subject:** 75 Bula Drive

### Recommendation

That Application **A-78/22** by 2863257 Ontario Inc., as outlined in the Notice of Hearing, be approved.

### Report The Proposal

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

Variance	Provision	Required	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m <sup>2</sup>	75.43m <sup>2</sup>
2	Maximum floor area of an interior accessory dwelling unit as a percentage of the floor area of the dwelling	40%	48%

### Location and Site Description

The subject property is located on the northeast corner of Bula Drive and south of McCordick Drive. The neighbourhood is residential with a variety of dwelling types.

The subject property is presently occupied by a detached dwelling and 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 E1. Detached dwellings with an accessory dwelling unit are permitted in this designation.

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

The applicant is requesting two variances to permit an interior accessory dwelling unit in the basement of the existing residential dwelling. The variances request an increase from 60 square metres to 75.43 square metres of the maximum permitted floor and an increase from 40 percent to 48 percent of the maximum floor area of an accessory dwelling unit as a percentage of the floor area of the 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. The size limitations ensure that the interior accessory dwelling unit is subordinate in terms of its scale and relationship to the primary dwelling unit.

Staff consider the requested increase to be minor in nature. The conversion of 15.43 square metres of the basement area to permit an accessory dwelling unit does not adversely impact the surrounding neighbourhood. Additionally, the accessory dwelling unit will remain subordinate to the upstairs one-storey dwelling unit. The interior accessory dwelling unit is visually undetectable from the street and has its own entrance. Although larger than what the Zoning By-law permits, the accessory dwelling unit is considered secondary to the principal ground floor unit, maintaining the intent and purpose of the Zoning By-law. The subject property meets all other zoning provisions in consideration of the interior accessory dwelling unit, including parking requirements.

Section 2.3.3.5(iv) of the Garden City Plan (Official Plan) provides that new housing will be encouraged to support housing diversity for a range of life stages, income and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities. The proposed interior accessory dwelling unit contributes to the range of dwelling types within the city. Staff find that this application is minor in nature, is desirable for the appropriate development of the lands, and meets the general intent of the Official Plan and Zoning By-law.

## **Conclusion**

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-78/22** 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:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Brenda Stan  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services



**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

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# **COMMENTS**

**A-79/22**

**76 Queen Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:



1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-79/22

**File:** 22106604

**Subject:** 76 Queen Street

### Recommendation

That Application **A-79/22** by Amanda Sulek and Mateusz Sulek, as outlined in the Notice of Hearing, be approved.

### Report Background

The subject property, 76 Queen Street, was previously subject to one committee of the adjustment application. In 1971, A-5/71 was approved by the committee to permit a mixed-use building (two apartment units and a commercial unit, specifically a surgical fitting clinic).

### The Proposal

The Applicant proposes to convert an existing mixed-use building with two residential units and one commercial unit to a triplex dwelling. Because the lot size and building are existing, the proposed conversion does not meet five zoning provisions for a triplex dwelling. The variances outlined in the table below are required to facilitate the proposal.

Variance	Provision	Required	Proposed
1	Minimum lot area	420 m <sup>2</sup>	255 m <sup>2</sup> (existing)
2	Minimum front yard setback (Queen Street)	3 m	1.0 m (existing)
3	Minimum interior side yard setback	1.2 m	1.0 m (existing)
4	Minimum exterior side yard setback (Lake Avenue)	3.0 m	0.5 m (existing)
5	Required parking for triplex dwelling	3 parking spaces	0 parking spaces

### Location and Site Description

The subject property is located on the northwest corner of Queen Street and Lake Street. Since the property is located in the downtown area, the surrounding neighbourhood is

varied with detached dwellings, multi-unit residential, and mixed-use buildings in the immediate vicinity. Montebello Park is located south-west of the subject property, on the opposite side of Queen Street. The subject property is located within the Queen Street Heritage District.

The subject property is presently occupied by a mixed-use building.

## **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 Downtown on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E10. Triplex dwellings are permitted in this designation.

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

### **Variance 1**

The Applicant has requested a reduction in the minimum lot area of a triplex dwelling. The required minimum lot area for a triplex dwelling in the R3 zone is 420 square metres. The proposed lot area is 255 square metres, resulting in a decrease of 165 square metres. The lot area is not proposed to change through this application – the unique size and shape of the lot is an existing condition. This variance is being sought to permit the conversion of the existing building on the lot from a mixed-use building to a triplex. The intent of the 420 square metre minimum lot area is to ensure that a sufficiently sized yard is provided for triplex dwelling units to accommodate parking, facilitate on-site drainage and provide outdoor amenity space. The Applicant is also requesting a reduction in parking to zero spaces, removing the need for property area to serve as dedicated parking. The proposed lot area reduction would facilitate the use of the existing mixed-use building into a triplex dwelling. The existing building is generally in keeping with, and would not compromise, the character of the surrounding neighbourhood. The reduced lot area is considered desirable for the appropriate use of the subject lands. Staff recommend that this variance be approved as it is considered to be minor in nature, desirable for the appropriate development of the lands and meets the intent of the Official Plan and Zoning By-law.

### **Variance 2**

Variance 2 requests a minimum front yard setback reduction from 3 metres to 0.5 metres. The reduced setback is already existing. The building is not proposed to increase in size in this application. The intent of the minimum front yard setback is, in part, to ensure

buildings do not overwhelm the public realm. The proposed setback is in keeping with the established setback along Queen Street on the properties to the west. Staff are supportive of the dwelling being closer to the street to maintain the existing character along the Queen Street streetscape. Overall, the reduced front yard setback is considered to be minor in nature, desirable for the appropriate development of the lands and meets the intent of the Official Plan and Zoning By-law.

### **Variance 3**

The Zoning By-law 2013-283 sets a minimum 1.2 metre interior yard setback for triplex dwellings in the R3 zone. The applicant proposes an interior side yard setback of 1 metre. The reduced setback is already existing. The building is not proposed to increase in size in this application. The minimum interior side yard setback is intended to ensure that a buffer is maintained between structures on adjacent properties for safety and privacy concerns, that sufficient space is maintained to support on-site drainage and access to rear yards and to ensure that the massing of a dwelling does not overwhelm adjacent properties. The 0.2 metre reduction is considered minor in nature and facilitates the conversion of an existing mixed-use building to a triplex dwelling that is generally desirable for the appropriate use of the property. The existing 1 metre interior yard setback is consistent with the setbacks of the surrounding lots. Staff find the requested variance to be minor in nature, desirable for the appropriate use of lands, and meets the general intent of the Official Plan and Zoning By-law.

### **Variance 4**

Zoning By-Law 283-2013 requires the exterior side yard setbacks to be a minimum of 3 metres in the Medium Density Residential (R3) zone. The Applicant has requested a reduction of the minimum exterior side yard setback from 3 metres to 0.5 metres on Lake Street. The variance is requested to facilitate a proposed conversion of an existing mixed-use building to a triplex dwelling. The reduced setback is already existing. The intent of the exterior side yard setbacks is, in part, to soften the impact of buildings on the streetscape. The dwelling is located in a neighbourhood with a mix of residential and commercial uses and is not out of character in appearance. For the exterior side yard setback, the reduction will apply to only a pinch-points at the corner of the building. Staff recommend that this variance be approved as it is considered to be minor in nature, desirable for the appropriate use of the lands and meets the intent of the Official Plan and Zoning By-law.

### **Variance 5**

The Applicant has requested a reduction in the minimum parking requirement for a triplex dwelling from three spaces to zero. Zoning By-law 2013-283 requires a minimum of three parking spaces for a triplex dwelling. The reduction will facilitate the use of the subject lands as a triplex. No new development is contemplated with this application; approval of the variance would permit the mixed-use building to be used as a triplex dwelling.

This variance is required due to the limited surface space available. The lot size does not have any parking spaces that could meet the minimum parking space dimensions



established in the Zoning By-law. The minimum parking requirement intends to ensure that there is an adequate supply of parking to accommodate residents of the triplex.

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 within walking distance of multiple transit stops in the area, including stops on James Street, King Street, Lake Street and Ontario Street and Welland Avenue within 400 meters. Transit is available with a bi-directional bus route passing the subject property, with daytime, evening, and weekend service. On-street parking is available on Queen Street and on Lake Street to the south of Queen Street. The reduction of three parking spaces for the dwelling unit is not expected to impact the parking supply in the area nor cause unacceptable spillover parking in the neighbourhood. Staff are of the opinion that the requested parking reduction maintains the intent of the Official Plan.

Staff are satisfied that there is a sufficient supply of on-street parking and alternative transportation methods, causing no adverse impact on the neighbourhood. Staff are of the opinion that the requested reductions are minor in nature, appropriate for the desirable use of the lands and maintains the intent of the Zoning By-law and the Official Plan. Staff are recommending approval of the variance.

## Conclusion

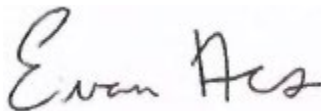
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-79/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Evan Acs, MSC, RPP  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

**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

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# **COMMENTS**

**A-80/22**

**26 Olde School Court**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

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108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

**Tel:** 905.688.5601 x1466

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

---

**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

**Tel:** [905.688.5601](tel:905.688.5601) x2163

**Email:** [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-80/22

**File:** 22106349

**Subject:** 26 Olde School Court

### Recommendation

That Application **A-80/22** by Ivan Horvachich and Kathy Horvachich, as outlined in the Notice of Hearing, be approved.

### Report

#### The Proposal

The Applicant proposes to reduction of the minimum rear yard setback an enclosed rear porch of an existing detached dwelling, as outlined in the table below:

Variance	Provision	Required	Proposed
1	Minimum rear yard setback	7.5m	6.37m

### Location and Site Description

The subject property is located on the north end of the Olde School Court cul-de-sac, north of Cecil Street. The property is surrounded by residential dwellings to the north, south and east, and green space to the west.

The subject property contains a detached dwelling with a rear covered porch.

### Circulation of Application

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

### Planning Policy Context

#### Official Plan (Garden City Plan)

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

#### Zoning By-law (2013-283)

The subject property is zoned Local Neighbourhood Institutional (I1-136). Residential uses shall comply with the Low Density Suburban Residential (R1) uses and provisions,



Special Provision 136 which includes site specific lot area, frontage and front-yard-setback requirements. The existing detached dwelling with covered porch is in keeping with all applicable provisions and is permitted in this zone.

## Planning Analysis

Zoning By-law 2013-283 requires a setback of 7.5 metres from the rear lot line to the dwelling. The intention of the rear yard setback in the Zoning By-law, based on development policies in Section 7.1 of the Official Plan, is to ensure adequate amenity space is provided on a property, to maintain adequate separation distance and buffering between neighbouring properties, to minimize overlook and privacy impacts, and to provide sufficient space for property maintenance and stormwater management.

Application **A-80/22** requests a reduction of the minimum rear yard setback from 7.5 metres to 6.37 metres for the proposed enclosure of the existing covered rear porch. The porch exists lawfully, since an unenclosed porch has different setback requirements than an enclosed porch which is considered as part of the dwelling. The 1.13 metre setback reduction is considered minor.

The porch only extends along a portion of the rear of the house, limiting and impacts and preserving an adequate amount of amenity space. The enclosure of the existing porch does not create any privacy concerns, as the area is already used as amenity space. It may even enhance privacy at times when blinds and/or doors of the enclosed porch are closed. All other required zoning provisions are being maintained. The reduced setback is therefore considered to be in keeping with the general intent and purpose of the Official Plan and Zoning By-law.

By enclosing the rear porch where is currently exists, the owners are able to modestly increase the amount of indoor space on their property without any substantial alterations or new encroachments into existing yards. As such, the variance is considered desirable for the appropriate development of the lands.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-80/22** 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:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Charlotte McEwan MCIP RPP  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

**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

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# **COMMENTS**

**A-81/22**

**121A Moffatt Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

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108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

---

**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

Tel: [905.688.5601](tel:905.688.5601) x2163

Email: [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736 **Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 22, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-81/22

**File:** 22106639

**Subject:** 121A Moffatt Street

### Recommendation

That Application **A-81/22** submitted by 1473941 Ontario Limited, as outlined in the Notice of Hearing, be approved.

### Report

#### Background

The property 121A Moffatt Street was created through multiple Consent Applications **B-29/21SC**, **B-08/21SC**, **B-39/21SC**, **B-40/21SC**, and **B-41/21SC** to facilitate a future private road development.

To facilitate the proposal, there is a concurrent site plan application (File no. 22 100519 SP) to register an Agreement on title to the lands. Application **A-81/22** is required to facilitate the proposed development.

#### The Proposal

The Applicant proposes to construct a private road development comprising of 30 townhouse dwellings on vacant lands. The variances required to facilitate the proposal are outlined in the table below.

Variance	Provision	Required	Proposed
1	Minimum lot area for a townhouse dwelling within a private road development	280 m <sup>2</sup>	278 m <sup>2</sup>
2	Maximum number of attached dwelling units	4	5
3	Minimum landscape buffer for a parking area with more than 20 spaces but fewer than 100 for a lot line abutting a residential or institutional zone (for parking spaces 1-5)	3 m	2.97 m



4	Minimum landscape buffer for a parking area with more than 20 spaces but fewer than 100 for a lot line abutting a residential or institutional zone (for the south lot line abutting 119 Moffatt St)	3 m	1.85 m
5	Minimum landscape buffer for a parking area with more than 20 spaces but fewer than 100 for a lot line abutting a residential or institutional zone (for the drive aisle pinch point)	3 m	1.3 m
6	Minimum interior side yard setback from an end wall (for units 21 and 24)	5 m	2.9 m
7	Minimum interior side yard setback from an end wall (for unit 20)	5 m	3.49 m
8	Minimum distance from a private road to dwelling	3 m	2.7 m
9	Maximum front yard setback to a townhouse dwelling	8.5 m	36 m

## Location and Site Description

The subject property is located on the west side of Moffatt Street, north of Arsenault Lane. The surrounding neighbourhood is residential with a variety of low density dwelling types. The subject property is currently vacant.

## Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. However, it was noted that a Lot Grading Plan may be required at the building permit stage.

## 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. Townhouse dwellings at a density generally ranging between 20 to 32 units per hectare is permitted in this designation.

### Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Traditional Neighbourhood (R2). Townhouse dwellings within a private road development is a permitted use in this zone.

# **Planning Analysis**

## **Variance 1**

Variance 1 requests a reduction in the minimum lot area per townhouse dwelling unit within a private road development. The minimum permitted lot area per townhouse dwelling in a private road development in the R2 zone is 280 square metres per dwelling unit. The proposed lot area is 278 square metres per unit, resulting in a decrease of 2 square metres per unit.

The intent of the minimum lot area per dwelling unit is to ensure that there is sufficient space to accommodate dwellings within the boundaries of the property while ensuring there is adequate amenity space, site access, landscaping, parking, and buffering from abutting properties. The minimum lot area per dwelling unit provision also guides the density of a development. The proposed reduced lot area of 2 square metres per dwelling unit is considered minor in nature, as the proposed site plan is able to accommodate the thirty townhouse dwellings, provide safe access, adequate landscaping and amenity space, parking, as well as buffers to adjacent properties. The proposed lot area per dwelling unit is in accordance with section 2.3.3.5ii) of the Official Plan, which emphasizes the provision of new housing through efficient use of vacant and occupied lands and small lot infill. The proposed density of the development is 36 units per hectare, which aligns with the general range of 20 to 32 units per hectare permitted in the Official Plan. The proposal is not considered overdevelopment as the lots meet many zoning requirements such as lot frontage, landscape open space, building height and parking. There are requests for minor variances regarding landscape buffers and reduced setbacks, however, staff are satisfied that the overall site plan is in keeping with the intent of the Official Plan and Zoning By-law.

Staff recommend that this variance be approved as it is considered to be minor in nature, desirable for the appropriate development of the lands and meets the intent of the Official Plan and Zoning By-law.

## **Variance 2**

Variance 2 requests an increase in the maximum number of attached dwelling units from 4 to 5 (for the townhouse blocks of units 11 – 15 and 16 – 20, as shown on the sketch).

The intent of this provision is generally to avoid lengthy expanses of building along the streetscape and to ensure there is adequate spatial separation for residential blocks. The proposed townhouse blocks with 5 attached units are located within the interior of the site and would not be visible from the public road. Therefore, the proposal to have 5 attached dwelling units instead of 4 will not negatively impact the existing streetscape or area's character. Staff are satisfied that these townhouse blocks would not overwhelm the private road development either. There is adequate spatial separation between the two townhouse blocks with a setback of 3 metres, as required in the zoning by-law. Staff note that given the property's proximity to Highway 406 and the required 15 metre setback, this prevents the ability to reconfigure the site with townhouse blocks of 4 attached units without losing two dwelling units. Section 7.1 of the Garden City Plan states that development and redevelopment within the Urban Area shall be evaluated having regard

for building, site and context-sensitive design to ensure the integration of compatible building form, scale, massing, height, siting, and orientation with adjacent buildings, properties and the surrounding neighbourhood. Staff are satisfied that the proposed townhouse blocks comprising of 5 attached units uphold these policies as it will not result in adverse impacts to the public realm or within the private road development.

Staff recommend that this variance be approved as it is considered to be minor in nature, desirable for the appropriate development of the lands and meets the intent of the Official Plan and Zoning By-law.

### **Variances 3, 4, and 5**

Variances 3, 4 and 5 request a reduced landscape buffer for three specific locations of the proposed development. Zoning By-law 2013-283 requires a minimum 3 metre landscape buffer between a parking area with 20 to 100 parking spaces and a lot line abutting a residential or institutional zone. The intent of the provision is to provide an appropriate buffer and screening between neighbouring land uses as well as support drainage onsite. Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for building, site, streetscape and neighbourhood context sensitive design. This includes ensuring there are adequate setbacks and spacing, that adverse impacts on adjacent properties are minimized and that the provision of parking areas and drive aisles do not dominate the site physically or visually.

Variance 3 requests a reduced landscape buffer from 3 metres to 2.97 metres along parking spaces 1 – 5, as shown on the sketch. Variance 4 requests a reduced landscape buffer from 3 metres to 1.85 metres along the south lot line abutting 119 Moffatt Street, as shown on the sketch. The landscape plan submitted with the concurrent site plan application proposes multiple plantings within these landscape buffers. This will provide adequate screening between the parking area and drive aisle with the surrounding properties, as well as enhance the overall site plan. Variance 5 requests a reduced landscape buffer from 3 metres to 1.3 metres for a pinch point along the drive aisle, as shown on the sketch. Staff are satisfied that this pinch point will not result in adverse impacts to the surrounding properties as it is located at the rear corner of 119 Moffatt Street.

Staff are satisfied that the requested reductions in landscape buffers are minimal, that adequate separation and screening of the parking areas will be provided, and that they will not result in adverse impacts to surrounding properties. As such, staff recommend that variances 3, 4 and 5 be approved as they are considered minor in nature, desirable for the appropriate development of the lands, and in keeping with the general intent of the Official Plan and Zoning By-law.

### **Variances 6 and 7**

Variances 6 and 7 request a reduced interior side yard setback from an end wall for specific locations of the proposed development. Zoning By-law 2013-283 establishes a minimum interior side yard setback of 5 metres from an end wall in the R2 zone.

The intent of the provision is to facilitate drainage and landscaping for the overall site, maintain a privacy buffer for neighbouring properties and allow for sufficient outdoor amenity space. As noted, section 7.1 of the GCP supports development that has regard for building, site and context-sensitive design to ensure the integration of compatible building form, scale, massing, height, siting, and orientation with adjacent buildings, properties and the surrounding neighbourhood. This includes providing adequate setbacks and spacing between properties to ensure adverse impacts on adjacent properties are minimized.

Variance 6 requests a reduced interior side yard setback to an end wall from 5 metres to 2.9 metres for units 21 and 24, as shown on the sketch. Variance 7 requests a reduced interior side yard setback to an end wall from 5 metres to 3.49 metres for unit 20, as shown on the sketch. Staff are satisfied that the proposed setbacks of 2.9 metres and 3.49 metres from the townhouse blocks with a maximum height of 10 metres is appropriate. The proposed setbacks will provide adequate separation and privacy for the abutting lots. Through the site plan review process, staff have noted they are satisfied that drainage and landscaping can be sufficiently accommodated with the reduced setbacks. As such, the variances are not anticipated to result in adverse impacts to the surrounding area.

Staff recommend that variances 6 and 7 be approved as they are considered minor in nature, desirable for the appropriate development of the lands, and in keeping with the general intent of the Official Plan and Zoning By-law.

#### **Variance 8**

Variance 8 requests to reduce the minimum setback from a private road to a dwelling in the R2 zone from 3 metres to 2.7 metres, resulting in a decrease of 0.3 metres.

The intent of this provision is to ensure there is an adequate setback from dwellings to a private road, to provide front yard amenity space and to prevent the built form from overwhelming the streetscape. Section 7.1 of the GCP supports development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. Staff are satisfied that the reduced setback maintains a balanced site plan with adequate separation between dwelling units and the private road and will not result in adverse impacts for residents of the development or the surrounding area.

Staff are of the opinion that the requested variance is minor in nature, desirable for the appropriate development of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of this variance.

#### **Variance 9**

Variance 9 requests to increase the maximum front yard setback for a townhouse dwelling in an R2 zone from 8.5 metres to 36 metres. To establish the front yard setback, the Zoning By-law applies the average front yard setbacks of the adjacent properties to calculate the required front yard setback for the subject property.

The intent of this provision is to ensure that the front yard setback is generally aligned with adjacent properties and to support a consistent streetscape. As noted, section 7.1 of the GCP supports development that has a compatible building form, scale, massing, height, siting, and orientation with adjacent building, properties and the surrounding neighbourhood. Given the design of the private road development, it would not be possible to have a townhouse dwelling fronting onto Moffatt Street and as such the variance applies to the closest dwelling unit to Moffatt Street (unit 1). The subject property has a lot frontage of 18 metres, which will consist of a drive aisle, sidewalk and considerable plantings to be seen along Moffatt Street. There are also dwellings located on either side of the site, therefore, the proposed front yard setback of 36 metres will not result in a significant disruption to the streetscape. Therefore, staff are satisfied that the proposed front yard setback is unlikely to negatively impact the streetscape nor the surrounding area.

In the opinion of the staff, the requested variance is considered minor in nature, desirable for the appropriate development of the lands, and meets the general intent of the Official Plan and Zoning By-law.

## Conclusion

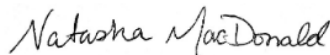
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-81/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Natasha MacDonald  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

**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

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# **COMMENTS**

**A-82/22 & A-83/22**

**234A & 234B Vansickle Road**

**DATE OF HEARING:**  
**July 27, 2022**

July 15, 2022

**To:** Wilrik Banda, Acting Secretary-Treasurer  
Committee of Adjustment, City Hall

**From:** Joan Nicks, on behalf of Condo Board (NNCC #74)  
226 Vansickle Road, Unit 13, St. Catharines, L2S 2S7  
Contact number: [REDACTED]

RPT	DESC	INFO	P.B.S.	
			REFERRED TO	INT.
DATE REC'D →			JUL 18 2022	SCAN <input type="checkbox"/>
FILE NO				

**AMANDA No. 22106672, Submission No. A-82/22**

**Application: 234A Vansickle Road, Lot 1, Plan 258**

Our Board has read the notice and site plan drawing, and physically viewed the site, including the proposed parking spaces for the existing 1-story dwelling.

Lots 2 and 3 and the existing 1-story building and land are adjacent to our long-established condo property of 33 years, separated by the standing fencing.

1. **Two parking spaces for existing 1-story house:** Our unit owners (1-5), some quite elderly, would be subject to vehicle lights and engine noise, given the proximity. The potential for accidents is apparent, with cars entering and backing onto this tight stretch of busy Vansickle Road from these two parking spots – compounded by the proximity to Fox Trail Drive directly across the road.
2. **Proposed 2-story, semi-detached dwellings:** Lots 2 and 3, also adjacent to our condo property, stretch well beyond the proposed new dwellings.  
**Questions:** How far back on Lots 2 and 3 would backyards extend for the two dwellings and residents?  
Would residents be permitted to erect any out-buildings in their backyards?  
Who will be responsible for maintaining grass-cutting on the far extent of Lots 2 and 3, as well as grounds-keeping fronting the properties?  
Does the property owner anticipate future, further construction beyond the current proposal/application?  
If the application is approved, when would construction begin?

Please inform us of the Committee's decisions on the submitted proposal.

Thank you, *J. N.*

Board members: S. Lazaruk (#10), M. Saltarelli (#12), J. Nicks (#13)

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Comments Received 234A &B Vansickle Road  
**Date:** Tuesday, July 19, 2022 3:57:15 PM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Marianne Blais <>  
**Sent:** Monday, July 18, 2022 4:53 PM  
**To:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Fwd: Objection to AMANDA No. 22106672 (Submission No. A-82/22 and AMANDA No. 22106674 (Submission No. A-83/22) - Ashton Gobbo

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

Sent from my iPad

Begin forwarded message:

**From:**  
**Date:** July 18, 2022 at 4:06:41 PM EDT  
**To:**  
**Cc:**  
**Subject: Objection to AMANDA No. 22106672 (Submission No. A-82/22 and AMANDA No. 22106674 (Submission No. A-83/22) - Ashton Gobbo**

TO: Wilrik Banda  
Acting Secretary-Treasurer  
City of St. Catharines Committee of Adjustment

Given that the developer (Ashton Gobbo) has appealed the City of St. Catharines' denial of Consent B-01/22SC to the Ontario Land Tribunal, as the owner of 226 Vansickle Road, Unit 4, this email reaffirms that I am vigorously opposed to Consent B-01/22SC for previously stated reasons.

Approval of Consent B-01/22SC would place the City of St. Catharines in significant legal peril for potential liability claims if a person were injured or killed as a result of a motor vehicle using the proposed driveway and two-stall parking lot at the rear of the existing dwelling unit. The proposed driveway literally abuts the proposed two-storey semi-detached dwelling unit with an accessory dwelling unit. In fact, the stairs from the proposed elevated deck spills directly on to the proposed driveway. For a moment, envision a delivery driver dropping off a package at the subject property as a small child



plays in the driveway. It's raining and foggy, and the child is struck by the driver as a result of Consent B-01/22SC being approved.

This out-of-town developer must be sent a strong message that the City of St. Catharines will vigorously oppose Consent B-01/22C at the Ontario Land Tribunal.

I would also like to receive a large-format printed copy of the entire development proposal schematics and Consent B-01/22SC schematic for my review. I trust that the schematics will show the proposed driveway setback distance from the proposed two-storey semi-detached dwelling unit, the width of the proposed driveway, the exits from the proposed two-storey semi-detached dwelling unit, as well as capture elevations, drainage attributes, et cetera.

Please inform me of any action or decisions taken by the City of St. Catharines in reference to these objections.

Additionally, I would also like this correspondence to form part of the record for the July 27, 2022 meeting of the City of St. Catharines Committee of Adjustment and any Ontario Land Tribunal hearing that is convened to address Consent B-01/22SC.

Respectfully.

Marianne Blais  
Owner  
Unit 4, 226 Vansickle Road  
St. Catharines, Ontario  
L2S 2S7

Home:

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

July 15, 2022

Wilrik Banda, Acting Secretary Treasurer,  
Committee of Adjustment, City Hall  
PO Box 3012, 50 Church Street,  
St Catharine's, ON L2R 7C2

Re B-01/22SC 234A Vansickle Road

Dear Sir.

This is an objection relating to Application A-83/22 B-01/22SC—the request to decrease the minimum required parking spaces for an accessory dwelling unit – interior from 1 space to 0.

The reduction of the number of interior parking will result in Vansickle Road being used for parking. The number of families that will be residing at this location will increase the number of vehicles parking on Vansickle Road as well.

Currently, parking is allowed on both sides of the street in the area in front of the subject land. With the reduction of the parking spaces the number of vehicles that could be parked on Vansickle Road will increase.

Vansickle Road is a school bus and City bus route and street parking obstructs these vehicles in their scheduled routes. Street parking reduces traffic to one lane on Vansickle. Given the volume of traffic on Vansickle Road this creates a safety issue.

Consideration needs to be made to restrict on street parking in this area to ensure safety of vehicular and walking traffic.

Regards,

*Banda Chopra (215 Vansickle Hwy)*  
*Deepest Chopra*

July 19/22

**SUBMISSION NUMBER A-83/22**

**AMANDA NUMBER 22106674**

**APPLICATION FOR MINOR VARIANCE @ 234<sup>A</sup> VANSICKLE ROAD, LOT 1, PLAN 258**

**MEETING OF JULY 27, 2022 -**

**RESPONSE FROM 215 VANSICKLE ROAD (VILLAGE WEST) WHICH CONSISTS OF 18 CONDO UNITS**

**PROPOSED:**

- 2- 2 storey semis each with

Main floor - rental-utilizing upstairs areas *plus basement apt.*

OR

- Possibly 2 rentals, main floor and upstairs PLUS a basement apartment in each semi

Two units per semi with 1 family on the main floor and 1 party in the basement area plus the bungalow with two units would possibly total 6 rental units. If the upper floor of each semi is rented as a separate unit there could possibly be 8, 10 or more individual units.

**BUT**

Each semi has only 1 parking space planned and the bungalow has 1 parking space. ALL 3 will back onto Vansickle Road, already a heavily trafficked area. There are no sidewalks along this area leading to the Vansickl/Rykert 4 way stop.

What options are there for other tenants who also own cars? There is no parking to the open-field area beside the finished semis - this is Ontario Hydro land.

**NOTE** There is a second designation beside the allotted parking space for the bungalow, there is no broken line on the site plan - would it be Mr. Gobbo's intention to use this as an accessory parking space?

## OBJECTIONS

- The distance from the 4-way stop @ Rykert/Vansickle to the current driveway @ 234 Vansickle Road is approximately 260 feet or 41 metres. Areas covered in this distance include:

Driveway at 215 Vansickle Road (which has 18 Condos- some with 2 cars per unit), west side of the Road

Driveway on east side of Vansickle, #222 (with 16 condos)

Intersection of Foxtrail Drive and Vansickle Road (46 semis herein) several with 2 cars per semi *or more!*

**Each of these driveways or intersections flow onto Vansickle Road within this 41 metres**

- The proposed multiple dwellings allow for 1 driveway only for each of 3 structures – all exiting onto Vansickle Road

At present there is 1 driveway – extra wide. This will not exist after construction of these multiple buildings

- The possible number of units in these 2 proposed 2-storey semis could be 6 families or possibly up to 10 families using these driveways. Presently – traffic between Pelham Road/Vansickle (4 way stop) to Rykert/Vansickle (4 way stop) has increased substantially since 2020, in part due to multiple and single family housing construction on Rykert Street, increasing the traffic flow to Vansickle Road. Several homeowners have been concerned about excessive speeds and have posted "Slow Down" signs on their properties on Vansickle Road.
- The proposed construction of 2-2-storey semis, each to have only 1 parking space provided is poor planning and dangerous to these tenants having to back onto Vansickle Road, an already heavily trafficked area. This shows disregard for the safety of those 250-300 people who are already using these exits onto Vansickle Road on a daily basis.
- RE: Excavations for new dwellings

-Where will trucks and heavy excavation and equipment park while waiting to be utilized for digging and haulage of earth and debris from the proposed sites?

(By September school buses – not currently in use, will be returned to city roads increasing numbers)

The open area adjacent to Semi #1 borders on property owned by Ontario Hydro and so is restricted to their usage

*Angela Evangelista*  
*Vincent Evangelista*  
*Shirley LeBlond*  
*Rykert*  
*Norman Jenkins*  
*For more work*  
*Myron*  
*Paul Kato*  
*Brenda Choppen*  
*Dwayne Choppen*  
*Robert Seimstead*  
*Carmen Blorin*  
*D. Newman*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission



11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

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< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist





## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-82/22  
A-83/22

**File:** 22106672  
22106674

**Subject:** 234A Vansickle Road  
234B Vansickle Road

### Recommendation

That Applications **A-82/22** and **A-83/22** by Ashton Gobbo, as outlined in the Notice of Hearing, be denied.

### Report

#### Background

The lands at 232 Vansickle Road were previously the subject of Committee of Adjustment applications B-01/22SC, B-02/22SC, B-03/22SC, A-05/22, A-06/22 and A-07/22 which were made to facilitate the severance of one lot with an existing dwelling into three lots, one to contain the existing dwelling and two each containing one unit of a proposed semi-detached dwelling. Variances were requested for each of the three lots. An easement was sought to facilitate the establishment of a shared driveway between the existing dwelling and one of the proposed semi-detached units. These applications were approved except for the requested easement for a shared driveway, which was denied. The decision to deny the easement has been appealed to the Ontario Land Tribunal.

Since the above applications were considered, the applicant has altered the proposal slightly to include accessory dwelling units (ADUs) in each of the principal residential units. An ADU exists currently in the existing house. As proposed, the parking requirements for the ADUs proposed in the semi-detached units cannot be met, and the applicants have therefore applied for additional variances.

#### The Proposal

The Applicant proposes a reduction of the minimum required parking for an accessory dwelling unit from 1 to 0 spaces in a semi-detached dwelling unit for two lots, the creation of which were approved via consent by the Committee previously.

<b>Application</b>	<b>Variance</b>	<b>Provision</b>	<b>Required</b>	<b>Proposed</b>
<b>A-82/22</b> 234A Vansickle Road	1	Required parking for accessory dwelling unit	1 parking spaces	0 parking spaces
<b>A-83/22</b> 234B Vansickle Road	1	Required parking for accessory dwelling unit	1 parking spaces	0 parking spaces

## **Location and Site Description**

The subject property is located on the east side of Vansickle Road and north of Rykert Street. The property is surrounded by detached dwellings to the west, an abutting townhouse development to the south and east, and a hydro corridor abutting the north side of the subject lands.

The subject lands are currently vacant.

## **Circulation of Application**

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

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E7. Semi-detached dwellings with an accessory dwelling unit are permitted in this designation, at a density of generally between 20 and 32 units per hectare of land.

### **Zoning By-law (2013-283)**

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1). Semi-detached dwellings with accessory dwelling units are permitted in this zone, subject to the provisions of the zoning by-law.

## **Planning Analysis**

The Applicant has requested a reduction in the required parking for interior accessory dwelling units from one space to zero for each of the two semi-detached dwellings to be constructed on the lands. The parking reductions are requested to facilitate the establishment of an interior accessory dwelling unit withing each of the units.

Section 5.4.2 of the GCP outlines policies under which the reduction or elimination of parking requirements may be considered. These are outlined below, together with a brief evaluation of each.

*The City may consider the reduction or the elimination of vehicular parking requirements where:*

*i) shared parking is possible;*

Shared parking is not formally proposed for this property, and is not guaranteed to be possible.

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

The subject property is just under 100 metres from a bus stop on Vansickle Road. Transit is available with the 315 and 415 bus routes servicing the subject property, with daytime, evening and weekend service at varying 30 minute and 1 hour intervals the Pen Centre and Downtown St. Catharines.

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

Although the Zoning By-law does not require the specific provision of bicycle parking for semi-detached dwellings, the proposed units have little to no secure bicycle storage opportunities outside of their own units. Neither bicycle parking nor facilities are provided on site.

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

No such facilities are proposed on-site, and the property is not well-situated to enhance connectivity or encourage safe, active transportation.

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

The minimum lot coverage for landscape open space is 45% for semi-detached dwelling units in the R1 zone. This is exceeded on the subjects' lands at 65% and 74% for the respective lots.

In addition to the criteria above, the Official Plan states that the applicant must demonstrate that reduced vehicular parking standards will not aggravate the parking supply, and not result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management. The Planning Justification provided by the applicant has addressed this requirement by noting that there is on-street parking available in the neighbourhood. However, these on-street parking spaces do not fulfill any long-term parking needs and will not fill the role of a permanent parking space for residents.

The justification report also indicates that the existing house contains two units and neither of the tenants own cars, and that the owner would seek tenants who do not need the space to park. While that may be possible, it is not guaranteed for the proposed units

regardless of the situation of the tenants in the existing units, or intentions of the current owner. In this location of the city there are few nearby amenities and transit service is quite limited to all but a couple of destinations. There is a lack of day-to-day amenities in proximity to the site, and the area lacks safe active transportation infrastructure.

Based on the evaluation of the policies above, staff believe the proposed parking reductions for the semi-detached dwelling units are not in keeping with the intent and purpose of the Official Plan and Zoning By-law.

Given the lack of amenities and anticipated difficulty of car-free living in this location, the proposed parking reductions may have a negative impact on tenants and/or neighbours, and is not considered to be minor in nature, nor desirable for the appropriate use of the land.

## Conclusion

Having regard for the matters under Section 45 of The Planning Act, staff are of the opinion that Applications **A-82/22** and **A-83/22** are not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, nor desirable for the appropriate use of the lands. Staff recommend denial of the Applications.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Charlotte McEwan MCIP RPP  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

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

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

---

# **COMMENTS**

**B-41/22SC, A-84/22 & A-85/22**

**50 Chetwood Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: 2022-07-11\_CN Comments\_50 Chetwood Street, St. Catharines ON  
**Date:** Tuesday, July 12, 2022 7:15:36 AM  
**Attachments:** [image001.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Saadia Jamil <[Saadia.Jamil@cn.ca](mailto:Saadia.Jamil@cn.ca)> **On Behalf Of** Proximity  
**Sent:** Monday, July 11, 2022 9:28 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Subject:** 2022-07-11\_CN Comments\_50 Chetwood Street, St. Catharines ON

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

Hi Elaine,

Thank you for circulating CN on the subject consent application. It is noted that the subject site is located in proximity to the CN railway corridor. CN recommends the following to be implemented as a condition of approval on the severed and retained parcel:

- The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Thanks,

**Saadia Jamil**

Planner (CN Proximity)  
Planning, Landscape Architecture and Urban Design  
Urbanisme, architecture de paysage et design urbain



E : [proximity@cn.ca](mailto:proximity@cn.ca)  
1600, René-Lévesque Ouest, 11e étage  
Montréal (Québec)  
H3H 1P9 CANADA  
[wsp.com](http://wsp.com)

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

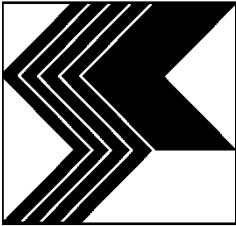
CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



REPORT TO PLANNING DEPARTMENT  
Re: LAND DIVISION APPLICATION NUMBER B-41/22SC



July 13, 2022

ENGINEERING FILE 300-36

**Hearing Date:** July 27, 2022  
**Applicant:** 2706703 Ontario Inc.  
**Location:** 50 Chetwood Street @ Leeper Street

<u>MUNICIPAL SERVICES</u>	<u>Chetwood Street</u>	<u>Leeper Street</u>
<b>Water:</b>	150mm PVC	150mm PVC
<b>Sanitary:</b>	900mm	250mm
<b>Storm:</b>	1200mm	450mm
<b>Sidewalks:</b>	Yes	Yes
<b>Road Allowance:</b>	15.24m	18.28m

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

Comment(s): It is noted the Owner wishes to sever Part 5 for the construction of a detached dwelling to be known as 32A Leeper Street. Part 1 would be retained for continued residential use. Parts 2, 3 & 4 are to be dedicated to the City as road widenings.

**Roads**

Chetwood Street and Leeper Street are designated Community Roads as per the City’s Transportation Master Plan, with desired rights-of-way widths of 20.0m. Their current widths are 15.24m and 18.28m respectively. Therefore, a widening along the frontage Chetwood Street of 2.38m and a widening along the frontage of Leeper Street of 0.86m, established based on the centreline of the original road allowances to obtain half of the required amounts desired to achieve 20.0m rights-of-way widths, shall be transferred to the City free and clear of any encumbrances to be known as Public Highway Chetwood Street and Leeper Street. A draft reference plan shall be submitted for review and approval prior to the registration in the Land Registry Office and forwarded to the City. The City will then move forward with acceptance of the land transfer by Municipal By-law.

**Sidewalks**

Sidewalks exist along both frontages. Sidewalk damage deposits shall be obtained through the Building Permit process to ensure the protection of these services throughout the construction process, if approved.

**Engineering Services**

Increased drainage challenges occur in these types of in-fill developments where existing lots within established neighbourhoods sometimes do not have suitable drainage outlets in place. The owner must retain at their cost, a qualified Engineer or Ontario Land Surveyor to prepare a Master Lot Grading and Drainage plan for the proposed lot. The plan shall be submitted for review, and approved by City staff, prior to the finalization of the consent. City staff will review the plan to ensure that the drainage scheme of the existing, and proposed future lots convey drainage to a

suitable outlet(s), while at the same time not adversely affect abutting properties.

Sump pump flows are typically discharged to grade, when no opportunities to connect to a storm sewer in the road allowance exist. Since a storm sewer **exists** on Leeper Street, weeping tile drainage shall be discharged via sump pump to a dedicated storm sewer lateral through the front foundation wall only. The house designs shall ensure rainwater leaders (downspouts) and sump pumps are directed and discharged accordingly.

The Owner shall be responsible to pay the fees for City crews to locate, trace, inspect and document the water and sewer service laterals for the existing dwelling, to confirm they do not conflict with any existing or future lot lines. If any of the existing services are determined to conflict with existing 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 also pay the City to relocate any portion of those services on public property. The Owner must also pay the City to install a water service, storm and sanitary laterals for the new lot from the City sewers and watermain to the property line, through the Building Permit process. Payment for the services for the newly created lots shall be obtained at the building permit stage. **The City shall not authorize the installation of services to new lots prior to the lots being registered and legally created through the severance application.**

Condition(s): Prior to the finalization of the proposed consent the Owner shall:

- Provide the City a draft reference plan indicating the proposed widenings 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 widenings across the frontage of the subject properties, to be known as Public Highway Chetwood Street and Leeper Street; and
- Pay the fee for City crews to locate, trace, inspect and document the sewer laterals and water services to the existing dwelling; and
- If determined existing laterals or water services conflict with existing or future lot lines, the Owner shall complete any relocation works on private property through a Plumbing Only Permit. The Owner shall also pay the City to complete any associated relocation works required on City property; and
- Arrange to have a Master Lot Grading and Drainage plan prepared by a qualified Engineer or Ontario Land Surveyor for review and approval by City staff

Prepared by:



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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



CITY OF  
ST. CATHARINES

## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** B-41/22SC  
A-84/22  
A-85/22

**File:** 22106721  
22106723  
22106725

**Subject:** 50 Chetwood Street  
32A Leeper Street

## Recommendation Consent

That the consent to sever in Application **B-41/22SC** by 2706703 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner enter into a Development Agreement with the City of St. Catharines, to be registered on title to the lands currently known municipally as 32A Leeper Street addressing the following conditions:
  - a) That building permit plans, including a site plan and elevations for Part 5, once submitted, be reviewed and approved to the satisfaction of the Director of Planning and Building Services;
  - 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.
  - c) That a tree protection plan be reviewed and approved to the satisfaction of the Director of Planning and Building Services and be attached to the development agreement.
  - d) That prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction.
  - e) That no soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
2. That the Owner, prior to registering the Reference Plan for the road widening in the Land Registry Office, provide the City with a copy for review and approval.
3. That the Owner dedicate to the City, free and clear of any encumbrances, the widenings across the frontage of the subject properties, to be known as Public Highway Chetwood Street and Leeper Street.
4. That the Owner pay the fee for City crews to locate, trace, inspect and document the sewer laterals and water services to the existing dwelling.

5. That the Owner if determined existing laterals or water services conflict with existing or future lot lines, complete any relocation works on private property through a plumbing only permit. The Owner shall also pay the City to complete any associated relocation works required on City property.
6. That the Owner arrange to have a lot grading and drainage plan prepared by a qualified engineer or Ontario Land Surveyor for review and approval by City staff.
7. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the new and retained lots in favour of CN.
8. That the Owner provide payment of 5% of the appraised value of the new lot be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser.
9. That the Owner submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
10. That the Owner submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
11. That the Owner obtain final approval of concurrent Minor Variance applications (A-84/22 and A-85/22) from the Committee of Adjustment.
12. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
13. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
14. That all conditions of consent be fulfilled by July 27, 2024.

## Minor Variance

That Variance 1 of Application **A-84/22** by 2706703 Ontario Inc., as outlined in the respective Notice of Hearing, be approved.

That Variances 1, 2, 3, and 4 of Application **A-84/22** by 2706703 Ontario Inc., as outlined in the respective Notice of Hearing, be approved.

## Report The Proposal

The Applicant is proposing to sever 286.6 square metres of land (Part 5 on the submitted sketch) for the proposed construction of a two-storey detached dwelling to be known as 32A Leeper Street. A 426.8 square metre retained parcel (Part 1) would be retained for continued residential use. Parts 2, 3 and 4 are to be dedicated to the City for a right-of-way widening. There are variances requested on both parcels. The requested severance and variances are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area

<b>B-41/22SC</b>	Parts 5 (to become 32A Leeper Street)	286.6 m <sup>2</sup>	Parts 1 (50 Chetwood Street)	426.8 m <sup>2</sup>
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<b>Application</b>	<b>Variance</b>	<b>Zoning Provision</b>	<b>Required</b>	<b>Proposed</b>
<b>A-84/22</b> 50 Chetwood Street (Parts 1)	1	Minimum rear yard setback	6.0 m	5.75 m
<b>A-85/22</b> 32A Leeper Street (Parts 5)	1	Minimum front yard setback to the dwelling	3 m	2.27 m
	2	Minimum front yard setback to the garage	6.0 m	5.18 m
	3	Minimum lot area per detached dwelling	300.0 m <sup>2</sup>	286.6 m <sup>2</sup>
	4	Minimum setback from the front lot line to a platform structure (height above the grade from 0.15 m to 0.6 m)	3.0 m	2.27 m

## Location and Site Description

The subject properties are located on the southwest corner of Chetwood Street and Leeper Street. The neighbourhood is low-density residential with one and two storeys detached dwellings. A detached dwelling and two accessory buildings currently occupy the subject property. The accessory buildings are proposed to be removed.

## Circulation of Application

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

## Planning Policy Context

### Official Plan (Garden City Plan)

The subject property is designated Neighbourhood Residential on Schedule D1 of the Garden City Plan (GCP) and further designated Low Density Residential on Schedule E6/7. Detached dwellings are permitted in this designation.

### Zoning By-law (2013-283)

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

## Planning Analysis

### Consent

Consent application **B-41/22SC** requests to sever the subject property into two lots to construct one detached dwelling and retain one existing detached dwelling. Section 16.11 of the GCP sets out a number of policies that applications for lot creation are evaluated against. Relevant policies are listed below with staff comments provided.

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

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

The proposed severed lot will make use of existing infrastructure. Any required improvements to infrastructure, such as municipal streets, water, wastewater, and stormwater services, will be at the owner's expense. Therefore, there are no anticipated costs for the City.

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

The proposed consent is located within the City's built boundary and within an area that is substantially developed. The proposal seeks to construct one detached dwelling, which represents context-sensitive infill development and contributes to providing a range of housing types.

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

The proposed dwelling meets density and the majority of requirements as set out in the City's Zoning By-law, demonstrating that the dwellings have appropriate scale, massing and setbacks. The proposed lot will achieve a density of 34.9 units per hectare. The retained lot will have a density of 23.4 units per hectare. While the proposed lot is slightly outside of the density range of 20 to 32 units per hectare in the Low Density Residential designation, staff note that required right-of-way widenings reduce the lot size, pushing up the density. Staff are satisfied that the lot sizes achieve the land's optimal development. As such, the character and massing are in keeping with the prevailing character of the area.

The proposed new lot will require minor variances to address the zoning deficiencies created by the road widening. There are concurrent minor variance application that seeks to remedy these deficiencies, which is discussed below. However, subject to the approval of the necessary minor variances, staff are supportive of the development. Staff recommend that consent application **B-41/22SC** be approved, subject to conditions outlined in the recommendation.

### Right-of-way Widening



Chetwood Street and Leeper Street are designated Community Roads as per the City's Transportation Master Plan, with desired rights-of-way widths of 20.0m. Their current widths are 15.24m and 18.28m respectively.

As per the Garden City Plan, Council is committed to achieving "Complete Streets and Walkable Communities" to which, in addition to accommodating vehicles, provide "safe, functional and attractive pedestrian and cycling environments". Section 5.2.1 indicates sidewalks shall be provided on both sides of all local streets. Section 5.2.3 states all existing roads shall be brought up to current standards, recognizing that this may take many years due to the anticipated expense, and that if necessary, land acquisition by way of dedications may be taken. Section 5.2 also directs the City to ensure all roads have secured locations for utilities.

Given the City would like to remain consistent with past requirements for road widenings and bring roads up to standards to accommodate future City utilities (storm sewer, upgraded water main and sanitary sewer extensions), other private utilities (Gas, Hydro, Bell, etc.), boulevard trees and sidewalks, bike lanes and meeting the Garden City Plan initiatives driven by Council, staff are recommending as a condition that a widening along the frontage Chetwood Street of 2.38m and a widening along the frontage of Leeper Street of 0.86m, shall be transferred to the City free and clear of any encumbrances to be known as Public Highway Chetwood Street and Leeper Street. The Applicant is aware of this request and has identified the road widenings dedication as Part 2, 3 and 4 on the submitted survey sketch.

## **Minor Variances**

### **Variance 1 of A-84/22**

Zoning By-law 2013-283 requires a setback of 6.0 metres from the rear lot line to the dwelling. The intent of the rear yard setback is to ensure adequate amenity space is provided on a property, to maintain adequate separation distance and buffering between neighbouring properties, to minimize overlook and privacy impacts, and to provide sufficient space for property maintenance and stormwater management.

The applicant requests a reduction of the minimum 6.0 metres for a rear yard to 5.75 metres to make room for the proposed new lot, resulting in a decrease of 0.25 metres. The reduction applies to an extension off the rear of the dwelling, other parts of the rear yard exceed the required setback. Staff are satisfied that with the reduction there is still adequate amenity space for the dwelling. The impact to the proposed lot is negligible as sufficient space for privacy buffers and property grading will remain.

As such, staff are of the opinion that the requested variance is minor in nature, is desirable for the appropriate development of the lands and is in keeping with the intent of the Official Plan and Zoning By-law. Staff are recommending approval, accordingly.

### **Variance 1 and 4 of A-85/22**

Zoning By-law 2013-283 establishes a 3.0-metre minimum setback from the front lot line to a platform structure, such as porches and decks, less than 0.6 metres in height. Zoning By-law 2013-283 also establishes a 3.0-metre minimum front yard setback from the front lot line to the dwelling. Variances 1 and 4 request a reduction from 3.0 metres to 2.27

metres for the setback to the platform structure and dwelling, resulting in a decrease of 0.73 metres.

The provision of minimum setback for a platform structure is to ensure the platform structure does not overwhelm the yard and to maintain a degree of separation from neighbouring properties, thereby mitigating safety, privacy, and overlook concerns. The minimum front yard setback to dwelling intends to promote a balanced neighbourhood streetscape and to prevent the built form from overwhelming a property while also ensuring front yard amenity space and a sufficient parking area can be provided between the dwelling and front lot line. The reduction of both setbacks from the front lot line is necessitated by land being dedicated to the City for the Leeper Street right-of-way. The platform structure is proposed to be located behind the front wall of the dwelling, meaning only the steps will project beyond the front wall. The proposed dwelling will have a similar setback to the existing dwelling at 32 Leeper Street, maintaining a consistent streetscape for the neighbourhood. Staff anticipate few adverse impacts on neighbouring properties and the public realm. Staff find these variances to be minor in nature, desirable for the appropriate development of the lands, and meet the general intent of the Official Plan and Zoning By-law. Staff are recommending approval, accordingly.

#### **Variance 2 of A-85/22**

Variance 2 requests a reduction of the minimum front yard setback to the garage from 6 meters to 5.18 meters. The minimum front yard setback intends to promote a balanced neighbourhood streetscape and to prevent garages from dominating the built form and public realm. This variance is necessitated by land being dedicated to the City for the Leeper Street right-of-way. The applicant is achieving the intent of this provision by recessing the garage 2.91 metres behind the front wall of the dwelling. This establishes the garage as secondary to the dwelling in appearance. Staff find this variance to be minor in nature, desirable for the appropriate development of the lands, and meets the general intent of the Official Plan and Zoning By-law. Staff recommend approval of this variance.

#### **Variance 3 of A-85/22**

The Applicant is also requesting a reduction to the minimum lot area per detached dwelling. The applicant proposes a reduced lot area from 300 square metres to 286.6 square metres, resulting in a decrease of 13.4 square metres.

The intent of the minimum lot area is to ensure sufficient space to accommodate a building envelope within the boundaries of the property, while ensuring adequate amenity space, site access, landscaping, parking, and buffering from abutting properties. The minimum lot area provision is also the method through which the Zoning By-law regulates the density range established in the official plan.

The proposed lot sizes are considered appropriate to accommodate the dwelling envelope and safe access, landscaping and outdoor amenity space, parking, and provide adequate setbacks to the road and adjacent properties. The reduction in lot area does result in the density increasing to 34.9 units per hectare, which is slightly above the range of 20 to 32 units per hectare generally required for lands with the Low Density Residential designation. The variance is necessitated by the right-of-way widening for Leeper Street.

Staff are satisfied that the 13.4 square metre reduction in lot area on the proposed lot is considered minor in nature and no adverse impacts are anticipated as a result of the proposed lot area. Staff find this variance to be minor in nature, desirable for the appropriate development of the lands, and meets the general intent of the Official Plan and Zoning By-law. Staff recommend approval of this variance.

## Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Application **B-41/22SC** is in keeping with the policies of the Official Plan and is appropriate for the development of the land. It is staff's recommendation that the requested consent be approved, subject to the conditions outlined in the recommendation.

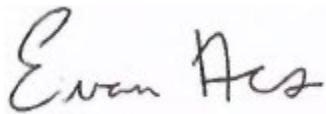
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Applications **A-84/22** and **A-84/22** are in keeping with the general intent of the Official Plan and Zoning By-law, are minor in nature, and are desirable for the appropriate use of the lands. Staff recommend approval of the Applications.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Evan Acs, MSc, RPP  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

**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

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# **COMMENTS**

**B-39/22SC & B-40/22SC**

**574B & 574C Ontario Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

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108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

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**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

Tel: [905.688.5601](tel:905.688.5601) x2163

Email: [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**



2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*

**From:** [Denham, James](#)  
**To:** [Munro, Elaine](#)  
**Subject:** FW: 574 Ontario Street, B-39&40-22SC, Severances to Establish Easements.  
**Date:** Friday, July 15, 2022 8:54:27 AM

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fyi

**James Denham P.Eng.**  
**Development Engineering Technologist**  
**Tel:** 905.688.5601 x1605  
**Email:** [jdenham@stcatharines.ca](mailto:jdenham@stcatharines.ca)



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**From:** Denham, James  
**Sent:** Friday, July 15, 2022 8:48 AM  
**To:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Cc:** Johnston, Brad <[bjohnston@stcatharines.ca](mailto:bjohnston@stcatharines.ca)>; Ip, Sean <[sip@stcatharines.ca](mailto:sip@stcatharines.ca)>  
**Subject:** 574 Ontario Street, B-39&40-22SC, Severances to Establish Easements.

Will,

Development Engineering have no comments with regards to these two applications.

Let me know if you have any questions or comments.



**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** B-39/22SC  
B-40/22SC

**File:** 22106701  
22106704

**Subject:** 574B Ontario Street  
574C Ontario Street

### Recommendation

That submission **B-39/22SC** by 1703306 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner provide the City a draft reference plan of the proposed easements and draft easement agreements for review and approval, prior to registration.
2. That the Owner provide the Secretary-Treasurer with a solicitor's undertaking that consent applications B-39/22SC and B-40/22SC will be registered with the Land Registry Office before this easement is registered.
3. That the Owner provide the Secretary-Treasurer with a solicitor's undertaking that the easement will be registered with the Land Registry Office after the final certificate is issued.
4. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
5. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
6. That all conditions of consent be fulfilled by July 27, 2024.

That submission **B-40/22SC** by 1703306 Ontario Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner provide the City a draft reference plan of the proposed easements and draft easement agreements for review and approval, prior to registration.
2. That the Owner provide the Secretary-Treasurer with a solicitor's undertaking that consent applications B-39/22SC and B-40/22SC will be registered with the Land Registry Office before this easement is registered.
3. That the Owner provide the Secretary-Treasurer with a solicitor's undertaking that the easement will be registered with the Land Registry Office after the final certificate is issued.

4. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
5. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
6. That all conditions of consent be fulfilled by July 27, 2024.

## Report

### Background

The lands at 574 Ontario Street were previously the subject of Committee of Adjustment applications B-08/22SC and B-09/21SC. These applications, approved in April 2022, proposed creating new building lots for the construction of townhouse units on the new and retained lots.

### The Proposal

As a condition of the approval of the above-mentioned consent applications, the applicant is required to have a grading plan approved for the three lots. For approval of the proposed grading plan, the applicant requires the establishment of two easements for maintenance and drainage services on the three lots. The easements and beneficiaries are identified in the table below.

Application	Easement Part	Easement Area	Easement Beneficiary
<b>B-39/22SC</b> (574B Ontario Street)	Part 4	14.6 m <sup>2</sup>	Part 5
<b>B-40/22SC</b> (574C Ontario Street)	Part 2	35.6 m <sup>2</sup>	Parts 3, 4 and 5

### Location and Site Description

The subject property is located on the east side of Ontario Street and north of Lakehurst Drive. The immediate surrounding area is comprised of apartment buildings.

The property is currently vacant.

### Circulation of Application

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

### Planning Policy Context

#### Official Plan (Garden City Plan)

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

## Zoning By-law (2013-283)

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

## Planning Analysis

### Consent to Easement

Application **B-39/22SC** proposes an easement over Part 4 to the benefit of Part 5. This easement is requested for service drainage and maintenance. Application **B-40/22SC** proposes an easement over Part 2 to the benefit of Parts 3, 4 and 5. This easement is requested for service drainage and maintenance. The Official Plan does not present policies to evaluate applications for consent to easements against. However, the proposed easements achieve some policy goals outlined in Section 7.1c) the Official Plan which states that development and redevelopment shall be evaluated having regard for minimizing adverse impacts on adjacent properties through grading, drainage, location and design of service utilities and areas. The easements will facilitate development that is consistent with the lot creation policies in the GCP and in keeping with the zoning by-law. The easements will not impact the developability of the proposed lots, and the townhouse dwellings proposed to be built on the subject lands can be accommodated on the lots after the easements are established. Staff find that the easements are appropriate and recommend approving the proposed easements in consent applications **B-39/22SC** and **B-40/22SC** be approved, subject to conditions outlined in the recommendation.

## Conclusion

Having regard for the matters under Section 53 of *The Planning Act*, staff are of the opinion that Consent Application **B-39/22SC** and **B-40/22SC** meet the intent and purpose of the Official Plan and 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.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Planner  
Planner I

**Approved by:**



Planner  
Manager, Planning Services

**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

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# **COMMENTS**

**A-86/22**

**2 Laguna Crescent**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**



2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*



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## Memorandum

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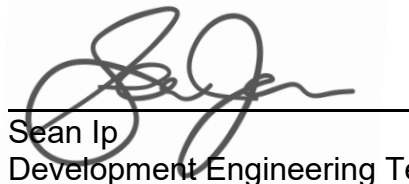
**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

---

Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist



**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

---

Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 22, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-86/22

**File:** 22106654

**Subject:** 2 Laguna Crescent

### Recommendation

That variances 1, 2, 3 and 5 of Application **A-86/22** submitted by Andrew Yap and Karina Yap, as outlined in the Notice of Hearing, be approved.

That variance 4 of Application **A-86/22** submitted by Andrew Yap and Karina Yap, as outlined below, be approved:

4. To permit an accessory building or structure within a required exterior side yard with a setback from the exterior side lot line of 0.07m

That variance 6 of Application **A-86/22** submitted by Andrew Yap and Karina Yap, as outlined in the Notice of Hearing, be withdrawn.

### Report The Proposal

The Applicants are requesting to construct a one-storey addition to the existing detached dwelling and to recognize the existing two accessory structures on the property. The proposed addition requires a variance for a reduced exterior side yard setback. The existing accessory structures require variances for reduced setbacks. The requested variances are outlined in the table below.

Variance	Provision	Required	Proposed
1	Minimum exterior side yard setback	4.0m	2.5m
2	Minimum interior yard setback for an accessory structure (for the westerly accessory structure)	0.6m	0.1m
3	Minimum rear yard setback for an accessory structure (for the westerly accessory structure)	0.6m	0.18m

4	To permit an accessory building or structure within a required exterior side yard with a setback from the exterior side lot line of 0.07m		
5	Minimum rear yard setback for an accessory structure (for the easterly accessory structure)	0.6m	0.22m
6	Maximum lot area coverage for accessory buildings or structures	10%	21.6%

Staff note that the wording of variance 4, as presented on the Notice of Hearing circulated on July 5<sup>th</sup>, 2022, has been revised to better reflect the nature of the variance. This variance is to permit an accessory structure within a required exterior side yard setback as it relates to section 2.1 of the Zoning By-law. The Notice of Hearing originally listed variance 4 as a request to reduce the minimum exterior yard setback from the easterly accessory structure from 0.6m to 0.07m.

Staff also note that variance 6, as presented on the Notice of Hearing circulated on July 5<sup>th</sup>, 2022, is being recommended to be withdrawn as this variance is no longer required. Following further review, it was determined that the lot area coverage for accessory buildings or structures on the lot is 8.9%, not 21.6%, and therefore complies with the Zoning By-law.

Despite the revisions to variances 4 and 6 of Application **A-86/22**, staff note that these are technical changes to the application and therefore do not impact what is being proposed or staff's recommendations.

## Location and Site Description

The subject property is located on the northwest corner of Laguna Crescent and Rainbow Drive. The surrounding neighbourhood is residential, primarily comprising of detached dwellings. The subject property is presently occupied by a detached dwelling with various accessory structures, platform structures and a pool.

## Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. However, it was noted that a Lot Grading Plan may be required at the building permit stage. Community, Recreation and Cultural Services staff note that there is an existing tree located in the City's right-of-way which is within proximity to the proposed addition. Staff note that a tree protection zone shall be established around the trunk of the boulevard tree prior to construction and remain in place for the duration of construction.

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

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

### **Zoning By-law (2013-283)**

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

## **Planning Analysis**

### **Variance 1**

The Applicants have requested a reduced minimum exterior side yard setback from 4 metres to 2.5 metres to facilitate a new one-storey addition to the existing detached dwelling.

The intent of the exterior side yard setback provision is to ensure that a sufficient buffer is maintained between private and public property, facilitate on-site drainage, ensure adequate sightlines for pedestrians and vehicles, and provide pleasant streetscapes. The proposed reduced setback of 1.5 metres would facilitate the construction of a 23.6 square metres addition to the existing dwelling. The proposed addition would occupy an area that is currently part of the driveway and would not result in a loss of sod or landscaping. The massing of the proposed addition is generally in keeping with and would not compromise the character of the surrounding neighbourhood. Given the location and size of the proposed addition, it is unlikely to negatively impact the site's drainage while providing adequate separation and sightlines and maintaining the existing streetscape. Staff consider the variance to be minor in nature, desirable for the appropriate use of the lands and in keeping with the intent of the Zoning By-law.

Section 7.1 of the GCP states that development and redevelopment shall be evaluated having regard for context-sensitive design to ensure the integration of compatible building form, scale, height and setbacks with adjacent buildings and the surrounding neighbourhood. The GCP states that adverse impacts to neighbouring properties should be minimized regarding the transition in height and privacy. The proposed one-storey addition to the dwelling maintains the character of the area. As noted, the reduced setback for the addition is not expected to impact the neighbouring properties negatively. The proposal is in keeping with the intent of the Official Plan.

Staff are of the opinion that Variance 1 of Application **A-86/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. As such, staff recommend approval of the variance.

### **Variances 2, 3 and 5**

Variances 2, 3 and 5 request setback reductions for the two existing accessory structures (sheds) on the property. The Applicants are requesting an interior side yard setback of

0.1 metres and a rear yard setback of 0.18 metres for the westerly accessory structure. The Applicants are also requesting a rear yard setback of 0.22 metres for the easterly accessory structure.

Section 2.1 f) of the Zoning By-law states that accessory buildings or structures shall not be located less than 0.6 metres from an interior side or rear lot line. The intent of the minimum setback for an accessory structure is to provide a buffer and maintain privacy for neighbouring properties. Section 7.1 of the GCP supports development or redevelopment with a compatible built form, including the provision of appropriate setbacks with adjacent buildings and the surrounding neighbourhood, and ensuring that adverse impacts on adjacent properties are minimized. The westerly shed is 13.1 square metres in size and 2.51 metres in height. The easterly shed is 2.3 square metres in size and 2.38 metres in height. There is also an existing wooden fence that goes along the exterior, rear and interior lot lines, thus providing a physical separation from the surrounding properties and maintaining privacy. As such, staff are satisfied that there is adequate screening from the existing accessory structures and that they are unlikely to result in adverse impacts to the surrounding properties.

Staff are of the opinion that the requested variances are minor in nature, are desirable for the appropriate use of the lands and are in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend approval of variances 2, 3 and 5.

#### **Variance 4**

Variance 4 requests to permit an existing accessory structure within the exterior side yard. Section 2.1 b) of the Zoning By-law states that accessory buildings or structures cannot be located within a required front or exterior side yard. The proposal would permit the existing easterly accessory structure to be located within the exterior side yard with a setback of 0.07 metres from the lot line.

The intent of this provision is to ensure that a sufficient buffer is maintained between private and public property, ensure adequate sightlines for pedestrians and vehicles and maintain pleasant streetscapes. Section 7.1 of the GCP supports a compatible built form, including the provision of appropriate setbacks with adjacent buildings and the surrounding neighbourhood, and ensuring that adverse impacts on adjacent properties are minimized. As noted, the existing easterly shed is 2.3 square metres in size with a height of 2.38 metres and therefore does not overwhelm the exterior corner of the lot. Further, the existing structure does not impact sightlines for pedestrians or vehicles and does not negatively impact the streetscape. The existing fence that runs along the exterior side lot line ensures there is a sufficient buffer between private and public property. Staff are satisfied that the existing structure is unlikely to result in adverse impacts to the surrounding properties.

As such, staff are of the opinion that the requested variance is minor in nature, is desirable for the appropriate use of the lands and is in keeping with the intent of the Official Plan and Zoning By-law. Staff recommend approval of variance 4.

## Variance 6

Section 2.1 of the Zoning By-law permits a maximum lot area coverage of 10% for accessory buildings and/or structures. There are two existing sheds and an above-ground pool located on the property, which are considered accessory structures. Initially it was calculated that the lot area coverage of these structures is 21.6%. However, upon further review it was determined that the lot area coverage is only 8.9%, which complies with the Zoning By-law. Therefore, variance 6 of Application **A-86/22** is not required. Accordingly, staff recommend that the Applicant withdraws this variance.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff recommend that variances 1, 2, 3, 4 and 5 of Application **A-86/22** be approved as the 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 of the lands. Staff further recommend variance 6 of Application **A-86/22** be withdrawn.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Natasha MacDonald  
Planner I

**Approved by:**



Margaret Josipovic  
Manager of Planning Services

**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-88/22**

**47 Port Master Drive**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Comments Received - 47 Port Master Drive - Application A-88/22  
**Date:** Friday, July 22, 2022 2:39:30 PM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** emunro@stcatharines.ca



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**From:** yi chen <>  
**Sent:** Wednesday, July 13, 2022 7:56 PM  
**To:** Banda, Wilrik <wbanda@stcatharines.ca>  
**Subject:** comments on Application A-88/22

**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 Secretary-Treasurer,

I am the owner of 39 Port Master Dr, St. Catharines, ON L2N 6X3. I have sleeping difficulties. This project seems like it would be a big one which would last longer than one year. I know any construction can start from 7 a.m bylaw. But I am hoping that they can start at 9 a.m. Previously, I felt terrible when they tore down the old house. I don't want them to build a new house if they can't make it. Our kids and neighbor's kids play together right there. The big trucks would create a potential danger to them. I would like them to stop driving the big trucks after 3p.m when young children get off school. We also would like a piece of the quiet moment on the weekends.

The online hearing registration link is broken. <https://webforms.stcatharines.ca/COA-Electronic-Hearing-Participation-Request-Formaring-Participation-Request-Form>

Thank you,

Sincerely,

Yi Chen

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



July 14, 2022

Our File No.: PLCON202200809

BY E-MAIL ONLY

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

Attention: Wilrik Banda, Acting Secretary-Treasurer

**Subject: Application for Minor Variances**  
47 Port Master Drive

---

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 for the proposed construction of an attached garage and detached dwelling, requiring permission for the attached garage to protrude beyond the corresponding wall of the dwelling unit.

### **NPCA Policy**

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

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

The subject property is impacted by a riverine valley and would be subject to Section 6 of NPCA Policies. This section speaks to long term perpetual stability of the slope for the purposes of the conservation of land for all new and/or replacement development. Upon review of this application, the proposed development is slated to take place above 15 metres from the top of slope. As such, supporting studies are not required. NPCA would advise that appropriate sediment and erosion control measures be implemented along the 15 meter buffer to ensure no migration of sediment or construction vehicles into the regulated area.

NPCA Mapping indicates the subject lands are impacted by the 30-metre buffer to a Provincially Significant Wetland associated with the Martindale Barnesdale Marsh. Wetlands provide for natural flood attenuation during storm events and, as such, it is important to maintain the hydrologic function of wetlands to assist in minimizing flooding impacts downstream. In accordance with the Authority's Regulations, no new development and site alterations are permitted within a wetland or within a 30-metre buffer where

development may have an impact on the natural features and functions of a wetland. Upon our review of the application, NPCA Staff do not offer concerns with the works in conjunction with the location of the wetland complex. Development is proposed above 30 metres to the wetland, for all phases of development.

**Conclusion:**

Given the above, please be advised the NPCA is supportive of this application, City File Number: A-88/22. NPCA Staff do not offer objection to its approval.

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](mailto:tlennard@npca.ca)

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Regional Comments and Attachment - 47 Port Master Drive - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 13, 2022 12:17:55 PM  
**Attachments:** [image001.png](#)

---

## Elaine Munro ACST

**Realty/Claims Assistant**

**Tel:** 905.688.5601 x1466

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



**How are you feeling?**

Find mental health resources that can help.

**From:** Karlewicz, Lori <[Lori.Karlewicz@niagararegion.ca](mailto:Lori.Karlewicz@niagararegion.ca)>

**Sent:** Wednesday, July 13, 2022 11:13 AM

**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>

**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>; Development Planning Applications <[devtplanningapplications@niagararegion.ca](mailto:devtplanningapplications@niagararegion.ca)>; Cara Lampman <[cara.lampman@niagararegion.ca](mailto:cara.lampman@niagararegion.ca)>; Adam Boudens <[adam.boudens@niagararegion.ca](mailto:adam.boudens@niagararegion.ca)>

**Subject:** RE: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

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Hi Elaine,

Regional comments on the Minor Variance Application for 47 Port Master Drive are as follows:

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Martindale Barnesdale Marsh Provincially Significant Wetland Complex (PSW), Significant Woodland, and Type 1 (Critical) Fish Habitat (see attached map). Consistent with Regional Official Plan (ROP) Policies 7.B.1.11 and 7.B.1.15, an Environmental Impact Study (EIS) is generally required in support of site alteration and/or development proposed within 120 m of PSW, 50 m of Significant Woodland and 30 m of Type 1 Fish Habitat.

The proposed redevelopment, and existing dwelling, are approximately 40 m from PSW and Fish Habitat, and 18 m from Significant Woodland. The Region's EIS Guidelines provide study exemptions for redevelopments with an increase in footprint, which extends away from the feature. The proposed development meets these requirements. As such, Environmental Planning staff offer no requirements or objection to the minor variance.

Please let me know if you have any questions.

Thanks,

**Lori Karlewicz**

**Planning Ecologist**

**Planning and Development Services**

**Niagara Region**

1815 Sir Isaac Brock Way, P.O. Box 1042

Thorold, ON L2V 4T7

Phone: **905-980-6000 ext. 3396** Toll-free: 1-800-263-7215

[www.niagararegion.ca](http://www.niagararegion.ca)







### Legend

#### Fish Habitat Reaches

- 'Critical' Type 1
- 'Important' Type 2
- 'Marginal' Type 3

#### MNR Evaluated Wetlands

- Non-Provincially Significant Wetland
- Provincially Significant Wetland

#### NRVIS ANSI

- Provincial
- Regional

#### Contours - 1m Region 2002

#### Contemporary Mapping of Water

- Flow
- Shoreline
- Shoreline/Other
- Other
- LAM Stormwater

#### Address Points

- CNH - Fish Habitat
- CNH - Municipal Drain
- CNH - Earth Science ANSI
- EPA: Greenbelt NHS
- EPA: Provincial Life ANSI
- EPA: Provincially Significant W
- EPA Other Greenbelt NHS Key
- ECA: Public Conservation Land

59.7 0 29.85 59.7 Meters

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This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This map is not to be used for navigation.



### Notes

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

---

108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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Find mental health resources that can help.

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**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

Tel: [905.688.5601](tel:905.688.5601) x2163

Email: [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

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< 10 cm	1.8 m	1.8 m
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41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*





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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

---

Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

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**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-88/22

**File:** 22106736

**Subject:** 47 Port Master Drive

### Recommendation

That Application **A-88/22** by Jayna Faragher and Robert Faragher, as outlined in the Notice of Hearing, be denied.

### Report

#### The Proposal

The Applicant proposes the construction of a new detached dwelling with an attached garage. To facilitate the proposed construction, Application A-88/22 seeks relief from the City of St. Catharines Zoning By-law 2013-283 to permit a garage to extend beyond the dwelling unit.

#### Location and Site Description

The subject property is located on the south end of Port Master Drive and north of Westport Avenue. The neighbourhood is low density residential with conservation and green spaces associated with Martindale Pond.

The subject property is currently occupied by an existing residence which is to be demolished.

#### Circulation of Application

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

#### Planning Policy Context

##### Official Plan (Garden City Plan)

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

##### Zoning By-law (2013-283)

The subject property is zoned Low Density Residential – Suburban Neighbourhood (R1).

Detached dwellings are permitted in this zone, subject to the provisions of the By-law.

## Planning Analysis

Zoning By-law 2013-283 requires attached garages to be flush with or recessed beyond the corresponding wall of the dwelling unit. The minimum front yard setback, based on the average of abutting properties per the Zoning By-law, is 22 metres, and the maximum setback is 23.5 metres. The proposed building is setback 22.9 meters, though the actual residential portion of the building begins at around 34 metres setback at the rear of the attached garage. The overall building technically meets the front yard setback requirement. However, the Zoning By-law requires the garage specifically to be flush with or recessed from the front wall of the dwelling.

The Applicant is requesting that the attached garage for 47 Port Master Drive be permitted to project approximately 11 metres closer to the street than the corresponding front wall of the dwelling unit. As proposed, the request to allow the garage to protrude beyond the face of the dwelling is not considered to be minor in nature.

The intent of the zoning requirement to have garages flush with or recessed from the dwelling is, in part, to ensure that the garage remains the subordinate component of the dwelling, resulting in a more appropriate streetscape and discouraging car-centric built form. The garage alone makes up a around a quarter of the overall building footprint and is entirely located in front of the front face of the dwelling. It extends approximately 11 metres beyond the dwelling. As proposed, the size, location, and length of protrusion of the garage beyond the front face of the dwelling is not in keeping with the intent and purpose of the provision.

Given the significant amount of land area for a single dwelling, such significant departure from the zoning by-law should be avoidable. It would be more appropriate to locate the garage to the side or rear of the dwelling and have a single driveway to access it. The variance is not considered desirable for the appropriate development of the land.

## Conclusion

Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-88/22** is not in keeping with the general intent of the Official Plan and Zoning By-law, minor in nature, nor desirable for the appropriate development of the lands. Staff recommend that the Application be denied.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Charlotte McEwan MCIP RPP  
Planner I

**Approved by:**



Margaret Josipovic  
Manager, Planning Services

**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-95/22**

**9 Larchwood Drive**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Comments Received - 9 Larchwood Drive Minor Variance  
**Date:** Wednesday, July 13, 2022 2:01:08 PM

---

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

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---

**From:** bill huang <>  
**Sent:** Tuesday, July 12, 2022 12:36 PM  
**To:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** 9 Larchwood Drive Hearing. Application A-95/22

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

Hello,

I believe that this lot is currently being used as a rental property. This proposal would increase the number of available rooms for rental on the property. As of now, the street is usually full of cars, leaving little available parking. This proposal would contribute towards this problem; exceeding the maximum amount of possible parking for residents.

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



---

**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

---

CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:

1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*





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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 22, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** A-95/22

**File:** 22106746

**Subject:** 9 Larchwood Drive

### Recommendation

That Application **A-95/22** submitted by Sadiq Hasan, as outlined in the Notice of Hearing, be approved.

### Report The Proposal

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

Variance	Provision	Required	Proposed
1	Maximum floor area of an interior accessory dwelling unit	60m <sup>2</sup>	108.7m <sup>2</sup>

### Location and Site Description

The subject property is located on the north side of Larchwood Drive and east of Glenridge Avenue. The property is surrounded by detached dwellings to the south, west and east with St. Julia Catholic Church to the north. The subject property is presently occupied by a detached dwelling.

### Circulation of Application

This Application was circulated to all appropriate departments and agencies. No objections were received. However, it was noted that a Lot Grading Plan may be required at the building permit stage.

Comments were received from an adjacent property owner, who raised concerns about on street parking availability. Staff note that the proposed accessory dwelling unit will have a designated parking space on the property.

## 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. Detached dwellings with an accessory dwelling unit are permitted in this designation.

### Zoning By-law (2013-283)

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

## Planning Analysis

The Applicant is requesting an increase to the permitted floor area for an interior accessory dwelling unit from 60 square metres to 108.7 square metres. 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 total floor area of the dwelling. The provision intends to ensure the interior accessory dwelling unit is subordinate in terms of its scale and relationship to the primary dwelling unit.

Staff consider the requested increase to the maximum area for an interior accessory dwelling unit to be minor in nature, as the unit will be subordinate to the primary dwelling unit. The proposed accessory dwelling unit will make up approximately 38% of the floor area of the dwelling, which meets the Zoning By-law. The alterations to the detached dwelling are entirely internal; there is no addition proposed nor an increase in building mass. The new accessory dwelling unit contains two bedrooms and is limited to the basement of the existing dwelling. The interior accessory dwelling unit is visually undetectable from the street and has its own entrance through the garage and from the rear of the home. The proposed increase in size will not result in adverse impacts on the surrounding neighbourhood. The subject property meets all other zoning provisions in consideration of the interior accessory dwelling unit, including the provision of one parking space per unit.

Section 2.3.3.5(iv) of the Garden City Plan (Official Plan) states that new housing will be encouraged to support housing diversity for a range of life stages, incomes and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities. The proposed interior accessory dwelling unit contributes to the range of dwelling types within the city. As such, staff find that the Application is minor in nature, is desirable for the appropriate use of the lands, and meets the general intent of the Official Plan and Zoning By-law. Staff recommend approval of Application **A-95/22** accordingly.

## Conclusion

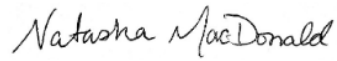
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-95/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate use of the lands. Staff recommend approval of the Application.

**Prepared by:**



Dasha Litviniuc  
Student Planner

**Submitted by:**



Natasha MacDonald  
Planner I

**Approved by:**



Scott Ritchie  
Senior Planner

**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

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# **COMMENTS**

**B-47/22SC, B-48/22SC & A-96/22**

**155 Ontario Street**

**DATE OF HEARING:**  
**July 27, 2022**

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** NPCA Review Response - 155 Ontario St  
**Date:** Friday, July 15, 2022 9:59:38 AM

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## Elaine Munro ACST

**Realty/Claims Assistant**

**Tel:** 905.688.5601 x1466

**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Taran Lennard <[tlennard@npca.ca](mailto:tlennard@npca.ca)>  
**Sent:** Friday, July 15, 2022 9:46 AM  
**To:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Cc:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Subject:** NPCA Review Response - 155 Ontario St

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

Hi Wil,

The NPCA offers no objection to the consents (B-47/22, B-48/22) and the minor variance (A-96/22). These applications are to create lots that were previously circulated to the NPCA, to which Staff were satisfied with at the time. NPCA Staff have been involved in prior discussions on site, and do not offer objections to the approval of these applications.

It should be noted that any future works within NPCA's Regulated Lands will require permits from our Office, in accordance with NPCA's Policies.

Thank you.

**Taran Lennard**  
**Watershed Planner**

Niagara Peninsula Conservation Authority (NPCA)  
250 Thorold Road West, 3<sup>rd</sup> Floor | Welland, ON L3C 3W2  
Tel: 905-788-3135 | extension 277  
email: [tlennard@npca.ca](mailto:tlennard@npca.ca)

[NPCA Watershed Explorer](#)

Due to the COVID-19 pandemic, the NPCA has taken measures to protect staff and public while providing continuity of services. The NPCA main office is open by appointment only with limited staff, please refer to the [Staff Directory](#) and reach out to the staff member you wish to speak or meet with directly.

Updates regarding NPCA operations and activities can be found at [Get Involved NPCA Portal](#), or on social media at [facebook.com/NPCAOntario](https://facebook.com/NPCAOntario) & [twitter.com/NPCA\\_Ontario](https://twitter.com/NPCA_Ontario).

For more information on Permits, Planning and Forestry please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

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



**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Alectra - No comments/objections RE: CofA Applications - July 27th Hearing  
**Date:** Tuesday, July 19, 2022 12:39:39 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Network Info <[network.info@horizonutilities.com](mailto:network.info@horizonutilities.com)>  
**Sent:** Tuesday, July 19, 2022 11:17 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** City Correspondence - July 8th

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

Good morning Elaine,

Our office has no comment/objections based on the drawing(s) and information provided for all applications received on July 8, 2022.

Regards,



**Samantha Burke**  
**Engineering Clerk, ICI & Layouts**  
55 John Street North, Hamilton, ON, L8R 3M8  
t 905.798.2971  
[alectrautilities.com](http://alectrautilities.com)



*At Alectra, the health and safety of our employees remains our highest priority and we have implemented vaccination policies for all our worksites and offices. Effective **November 12, 2021**, all visitors and contractors entering any Alectra worksite or facility must provide satisfactory proof of vaccination at Security when requested. Couriers and deliveries are excluded. Please review our [visitor vaccine policy](#).*

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Cogeco - No Concerns - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Tuesday, July 12, 2022 10:05:22 AM

---

**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



---

**From:** Doug Crown <[doug.crown@cogeco.com](mailto:doug.crown@cogeco.com)>  
**Sent:** Tuesday, July 12, 2022 8:51 AM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 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 concerns with these applications.  
Have an excellent day

Doug Crown  
Network Planning Department  
[Doug.crown@cogeco.com](mailto:Doug.crown@cogeco.com)

7170 Mcleod Rd  
Niagara Falls Ont Canada

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

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** Former Landfill - No Concern or Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing  
**Date:** Wednesday, July 6, 2022 2:54:57 PM

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108 Vansickle Road  
26 Olde School Court  
121A Moffatt Street  
234A&B Vansickle Road  
574 B & C Ontario Street  
47 Port Master Drive  
155 Ontario Street

## Elaine Munro ACST

Realty/Claims Assistant

Tel: 905.688.5601 x1466

Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

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**From:** Vasko, Dennis <[dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 1:17 PM  
**To:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Cc:** Banda, Wilrik <[wbanda@stcatharines.ca](mailto:wbanda@stcatharines.ca)>  
**Subject:** Re: Request for Comments - Notices of Hearing and Applications - July 27, 2022 CofA Hearing

Hi Elaine,

No concerns or comments regarding these properties in respect to any closed landfills.

Dennis

## Dennis Vasko

Fill Site Technician

Tel: [905.688.5601](tel:905.688.5601) x2163

Email: [dvasko@stcatharines.ca](mailto:dvasko@stcatharines.ca)



How are you feeling?

Find mental health resources that can help.

**From:** [Munro, Elaine](#)  
**To:** [Munro, Elaine](#)  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing  
**Date:** Friday, July 8, 2022 9:31:43 AM

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**Elaine Munro ACST**  
**Realty/Claims Assistant**  
**Tel:** 905.688.5601 x1466  
**Email:** [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)



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**From:** Douel, Patricia <[pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 4:59 PM  
**Subject:** RE: Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Hi everyone,

Please see Building comments below in **Red**.

Trish

**Patricia Douel P.Eng.**  
**Senior Plans Examiner**  
**Tel:** [905.688.5601](tel:905.688.5601) x1673  
**Email:** [pdouel@stcatharines.ca](mailto:pdouel@stcatharines.ca)



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**From:** Munro, Elaine <[emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)>  
**Sent:** Tuesday, July 5, 2022 8:00 AM  
**Subject:** Request for Comments - Committee of Adjustment Notices and Applications July 27, 2022 Hearing

Good Morning

The Notices, applications and sketches can be found in the Amanda System:

1. 14 Glen Park Road, Minor Variance, A-20/22 – 22 100843 **Taya**
  - A. **Spatial separation calculations required.**
  - B. **All other technical issues will be addressed at time of building permit submission**

2. 108 Vansickle Road, Minor Variance, A-74/22 – 22 104282 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
3. 4 Woodglen Drive, Minor Variance, A-75/22 – 22 106640 **Brenda**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
4. 90 Louisa Street, Consent, B-38/22SC – 22 105608 **Natasha**  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
A. Spatial separation calculations required  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
A. Spatial separation calculations required
5. 75 Bula Drive, Minor Variance, A-78/22 – 22 106600 **Brenda**  
A. All technical issues will be addressed at time of building permit submission
6. 76 Queen Street, Minor Variance, A-79/22 – 22 106604 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
7. 26 Olde School Court, Minor Variance, A-80/22 – 22 106349 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
8. 121A Moffatt Street, Minor Variance, A-81/22 – 22 106639 **Natasha**  
A. Fire Access route does not have a centreline radius not less than 12 m throughout its length and may not comply with the OBC for dead-end portion being more than 90m long. OBC 9.10.20.3.(1) requires access via a street (9m wide by definition), private roadway or yard. Access as shown does not appear to meet the OBC requirements.  
B. Spatial separation calculations required.  
C. All other technical issues will be addressed at time of building permit submission.
9. 234A Vansickle Road, Minor Variance, A-82/22 – 22 106672 **Charlotte**  
234B Vansickle Road, Minor Variance, A-83/22 – 22 106674  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
10. 50 Chetwood Street, Consent, B-41/22SC – 22 106721 **Evan**  
50 Chetwood Street, Minor Variance, A-84/22 – 22 106723  
32A Leeper Street, Minor Variance, A-85/22 – 22 106725  
A. Spatial separation calculations required for existing and new proposed buildings.  
B. All other technical issues will be addressed at time of building permit submission

11. 574B Ontario Street, Consent, B-39/22SC – 22 106701 **Brenda**  
574C Ontario Street, Consent, B-40/22SC – 22 106704  
A. No building on site – all technical issues will be addressed at time of building permit submission.
12. 2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654 **Natasha**  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
13. 38 Elgin Street, Minor Variance, A-87/22 – 22 106666 **Brenda**  
A. Technical issues will be addressed at time of building permit submission to create short term rental units.
14. 47 Port Master Drive, Minor Variance, A-88/22 – 22 106736  
**Charlotte**  
A. Technical issues will be addressed at time of building permit submission
15. 9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746 **Natasha**  
A. Technical issues will be addressed at time of building permit submission
16. 155 Ontario Street, Consent, B-47/22 – 22 107019 **Evan**  
A. Spatial separation calculations required.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Consent, B-48/22 – 22 107023  
A. Spatial separation calculations required for all buildings on site.  
B. All other technical issues will be addressed at time of building permit submission
- 155 Ontario Street, Minor Variance, A-96/22 – 22 107026  
A. Confirmation required that proposed severance lines were used in the calculation of spatial separation when 6 storey retirement residence was submitted for building permit.

Thanks, Elaine

**Elaine Munro ACST**  
Realty/Claims Assistant  
Tel: [905.688.5601](tel:905.688.5601) x1466  
Email: [emunro@stcatharines.ca](mailto:emunro@stcatharines.ca)

**To:** Elaine Munro, Acting Secretary-Treasurer, Committee of Adjustment, PBS

**Cc:**

**From:** Amanda Knutson, Community Project & Development Planner, CRCS

**Date:** July 12, 2022

**Subject:** Committee of Adjustment Applications – July 27, 2022 Hearing

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CRCS staff have reviewed the above-noted applications and offer the following comments.

**14 Glen Park Road, Minor Variance, A-20/22 – 22 100843  
(T. Devlin, Planner)**

This application was deferred from the April Committee of Adjustment hearing; we continue to offer no objection.

**108 Vansickle Road, Minor Variance, A-74/22 – 22 104282  
(B. Stan, Planner)**

No objection.

**4 Woodglan Drive, Minor Variance, A-75/22 – 22 106640  
(B. Stan, Planner)**

The applicant has requested several minor variances to facilitate construction of a detached garage in the front yard, southeast of the of the existing dwelling. They propose to service the garage with a substantial driveway extension that would run through the front yard, parallel to the existing home and public street. Approval of the variances will result in a significant loss of landscaped open space in the front yard in favour of asphalt. It is the opinion of CRCS staff that the proposal will a negative impact on the property's interface with the public realm, contrary to the City's urban design and landscaping objectives. We note that these impacts would be lessened if the detached garage were constructed on the opposite side of the existing home. CRCS staff recommend that the application be denied.

**90 Louisa Street, Consent, B-38/22SC – 22 105608  
90 Louisa Street, Minor Variance, A-03/22 – 21 120943  
92 Louisa Street, Minor Variance, A-77/22 – 22 105605  
(N. MacDonald, Planner)**

CRCS has no concerns with the proposed severance which will re-create the two lots in question. With respect to the requested minor variances for reductions in lot frontage for each parcels, CRCS staff recommends that the width of the driveways be limited to

what is depicted in the plans submitted with these applications. If limitations are not imposed, then the size of the driveway could be enlarged in the future, further reducing the amount of landscaped open space in the front yards.

**75 Bula Drive, Minor Variance, A-78/22 – 22 106600**

**(B. Stan, Planner)**

No objection.

**76 Queen Street, Minor Variance, A-79/22 – 22 106604**

**(E. Acs, Planner)**

No objection.

**26 Olde School Court, Minor Variance, A-80/22 – 22 106349**

**(E. Acs, Planner)**

No objection.

**121A Moffatt Street, Minor Variance, A-81/22 – 22 106639**

**(N. MacDonald, Planner)**

CRCS offers no objection to the minor variances requested through this application. The applicant has demonstrated through the concurrent site plan approval process that adequate landscaping and buffering will be provided. With respect to variances 3, 4, and 5, CRCS staff recommend that for clarity in terms of the location of the reduced landscape buffers, the sketch submitted with the application form part of the Committee's decision.

**234A Vansickle Road, Minor Variance, A-82/22 – 22 106672**

**234B Vansickle Road, Minor Variance, A-83/22 – 22 106674**

**(C. McEwan, Planner)**

No objection.

**50 Chetwood Street, Consent, B-41/22SC – 22 106721**

**50 Chetwood Street, Minor Variance, A-84/22 – 22 106723**

**32A Leeper Street, Minor Variance, A-85/22 – 22 106725**

**(E. Acs, Planner)**

CRCS offers no object to the proposed creation of one new lot to facilitate the construction of a detached dwelling fronting onto Leeper Street, nor the requested minor variances. We note that there are three existing young boulevard trees in the Leeper Street boulevard; the applicant will be required to pay the cost for City crews to remove and replace the southernmost tree to accommodate the new driveway. Additionally, standard tree protection measures will be required for the remaining two boulevard trees, to be implemented through the required development agreement.

Should the application for consent be approved, CRCS recommends the following conditions be imposed:



1. That payment of 5% of the appraised value of the new lots be made to the City of St. Catharines in lieu of dedication of land for parks purposes. Section 53(13) of the Planning Act, R.S.O. 1990 as amended, provides in part 'for the purpose of determining the amount of the payment, the value of the land shall be determined as of the day before the day the provisional consent was given'. The appraisal shall be completed by a qualified appraiser. (Condition subject to Planning and Building Services' determination that parkland dedication can, in fact, be collected for this application.)
2. That the applicant submit a payment for the placement of a 60mm boulevard tree for each new lot, in accordance with the City's current Schedule of Rates and Fees.
3. That the applicant submit payment for the removal and replacement of the existing southernmost boulevard tree located within the Leeper Street road allowance.
4. That the future development agreement include the following provisions to ensure the protection and preservation of two existing boulevard trees to remain in the Leeper Street road allowance:
  - a. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of each tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
  - b. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.
5. That the plans forming part of the future development agreement depict the location and extent of the necessary tree protection zone(s), as determined using the following chart:

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

**NOTES:**

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**574B Ontario Street, Consent, B-39/22SC – 22 106701**  
**574C Ontario Street, Consent, B-40/22SC – 22 106704**  
**(B. Stan, Planner)**  
No objection.

**2 Laguna Crescent, Minor Variance, A-86/22 – 22 106654**  
**(N. MacDonald, Planner)**

The applicant has requested a reduction of the minimum exterior side yard to construct an addition to the existing detached dwelling. CRCS staff note that there is a mature boulevard tree located within the Rainbow Drive road allowance, immediately northeast of the proposed addition. Based on a review of aerial imagery, it appears that the majority of the new construction will be located outside of the extent of the tree's canopy. Further, the applicant intends to use helical piles in lieu of an excavated foundation, as indicated on the plan submitted with the application. While CRCS has no objection to the requested minor variance, the following conditions are recommended to ensure preservation and protection of the boulevard tree:

1. Prior to any construction activities commencing on site, a tree protection zone delineated by construction/snow fencing/hoarding shall be established around the trunk of the tree to be retained, and such tree protection zone shall remain in place for the duration of construction (minimum tree protection zone sizes are outlined in the table below).
2. No soil, construction materials, equipment, or vehicles of any sort may be stored or otherwise located within the tree protection zone.

**The Minimum Tree Protection Zone (MTPZ)**

The following is a chart showing minimum required distances for determining a Minimum Tree Protection Zone. Some trees and some site conditions may require a larger Minimum Tree Protection Zone at the discretion of the City.

Table 1 – Minimum Tree Protection Zones

Trunk Diameter (DBH) <sup>2</sup>	Minimum Tree Protection Zone (MTPZ) Distances Required <sup>3</sup>	Critical Root Zone (CRZ) Distances Required <sup>3&amp;4</sup>
< 10 cm	1.8 m	1.8 m
11 - 40 cm	2.4 m	4.0 m
41 - 50 cm	3.0 m	5.0 m
51 - 60 cm	3.6 m	6.0 m
61 - 70 cm	4.2 m	7.0 m
71 - 80 cm	4.8 m	8.0 m
81 - 90 cm	5.4 m	9.0 m
91 - 100+ cm	6.0 m	10.0 m

NOTES:

<sup>1</sup> The roots of a tree can extend from the trunk to approximately 2-3 times the distance of the drip line.

<sup>2</sup> Diameter at breast height (DBH) measurement of tree trunk taken at 1.4 metres above ground.

<sup>3</sup> Minimum Tree Protection Zone and Critical Root Zone distances are to be measured from the outside edge of the tree base towards the drip line and may be limited by an existing paved surface, provided the existing paved surface remains intact throughout the construction work and is subject to Section 6 of this specification.

**38 Elgin Street, Minor Variance, A-87/22 – 22 106666**  
**(B. Stan, Planner)**  
No objection.

**47 Port Master Drive, Minor Variance, A-88/22 – 22 106736**

**(C. McEwan, Planner)**

No objection.

**9 Larchwood Drive, Minor Variance, A-95/22 – 22 106746**

**(N. MacDonald, Planner)**

No objection.

**155 Ontario Street, Consent, B-47/22 – 22 107019**

**155 Ontario Street, Consent, B-48/22 – 22 107023**

**155 Ontario Street, Minor Variance, A-96/22 – 22 107026**

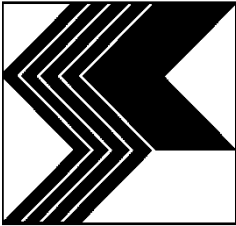
**(E. Acs, Planner)**

CRCS offers no objection to the requested consents to sever, nor the requested minor variances. With respect to the proposed reductions in landscape buffers for 155 Ontario Street, we note that adequate landscaping and buffering for the retained parcel has been secured through the site plan agreement. Further, development on the new parcel adjacent to the reduced landscape buffers (6 Adams Street) will be subject to site plan approval where additional landscaping will be required to offset any loss stemming from the subject minor variances.

*Amanda Knutson*

*Community Project and Development Planner*

**REPORT TO PLANNING DEPARTMENT**  
**Re: LAND DIVISION APPLICATION NUMBER B-47&48/22SC**



July 13, 2022

**ENGINEERING FILE 300-36**

**Hearing Date:** July 27, 2022  
**Applicant:** Seasons Retirement Communities (St. Catharines) GP Inc.  
**Location:** 155 Ontario Street

**MUNICIPAL SERVICES**

**Water:** 300mm PVC  
**Sanitary:** 600mm  
1500mm Regional Trunk  
**Storm:** 450mm/525mm  
**Sidewalks:** Yes  
**Road Allowance:** 22.86m± (Regional)

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

**Comment(s):** It is noted the Owner wishes to sever Part 2 for a proposed future apartment building development to be known as 6 Adams Street, and Part 3 for a proposed future apartment building development to be known as 159 Ontario Street. A remnant parcel (Parts1) would be retained for continued retirement use.

**Roads**

Ontario Street is a Regional Road under their jurisdiction. Comments for requirements along their frontage shall be at the Region’s discretion.

**Sidewalks**

Sidewalks exist along Ontario Street. Sidewalk damage deposits shall be obtained through the Building Permit process to ensure the protection of these services throughout the construction process, if approved.

**Engineering Services**

All existing local services are available for the provisions of use regarding this proposed development. Further design review and study considerations shall be completed at the time a formal Planning Development application is made with the City.

Phase 1 of this development provisioned for, and installed and 200mm water service from Ontario Street, with a stubbed portion for future expansion to the north-west (proposed Phase 3 lands). Since Part 3 (Phase 3) is now proposed to be severed and ownership in the future could be transferred to another party, the Applicant shall establish an easement over the existing 200mm water service stub on the Phase 1 lands to the Ontario Street frontage, for the purposes of future access and maintenance needs to the future owner of Phase 3 (Part 3). A draft reference plan and draft easement document shall be prepared and submitted to the Municipality for review and comment, prior to their deposit and registrations on title with the Land

Registry Office.

**Condition(s):** Prior to the finalization of the proposed consent the Owner shall:

- Provide the City a draft reference plan indicating the proposed easement limits for the 200mm watermain through Phase 1 (Part 1) lands, for review and approval, prior to the registration of the plan in the Land Registry Office; and
- Prepare a draft Easement Document indicating the future access and maintenance requirements to the Owner of Phase 3 (Part 3) for the watermain through Phase 1 (Part 1) lands, for review and approval, prior to the Easement Document registrations on title;

**Prepared by:**



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



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## Memorandum

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**To:** Elaine Munro, ACST, Committee Secretary & Planning Technician  
**From:** Sean Ip, Development Engineering Technologist  
**CC:** City Committee of Adjustment Staff Members  
**Date:** July 14, 2022  
**Hearing Date:** July 27, 2022  
**Subject:** **Committee of Adjustment - Minor Variance Applications**  
90 Louisa Street – A03/22  
14 Glen Park Road – A-20/22  
108 Vansickle Road – A-74/22  
4 Woodglen Drive – A-75/22  
24 Briarsdale Drive – A-76/22  
92 Louisa Street – A-77/22  
75 Bula Drive – A-78/22  
76 Queen Street – A-79/22  
26 Olde School Court – A-80/22  
121A Moffatt Street – 81/22  
234A & 234B Vansickle Road – A-82 & 83 /22  
50 Chetwood Street – A-84/22  
32A Leeper Street – A-85/22  
2 Laguna Crescent – A-86/22  
38 Elgin Street – A-87/22  
47 Port Master Drive – A-88/22  
9 Larchwood Drive – A-95/22  
155 Ontario Street – 96/22

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Development Engineering have no comments or objections to the above noted applications, subject to the following;

- All applicants must acknowledge that although minimum Zoning setbacks may be reduced through Minor Variances, existing and additional widths greater than the minimum may be required to accommodate and maintain access and storm water conveyance, so as not to cause negative effects on subject and adjacent properties; and,
- All applicants be advised that a Grading Plan, prepared by a Professional Engineer or Ontario Land Surveyor, may be required as part of the submission for a building permit application for those sites required to obtain a building permit, but not subject to concurrent severance applications.

Prepared by:

  
\_\_\_\_\_  
Sean Ip  
Development Engineering Technologist

**To: Wilrik Banda, Acting Committee Secretary and Planning Technician**

**Cc:**

**From: Steve Bittner, Transportation Technologist**

**Date: July 7, 2022**

**Subject: Committee of Adjustment Comments (July 27, 2022 Hearing)**

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Upon review of the applications, we have no concerns or requirements.

Steve Bittner  
Transportation Technologist



CITY OF  
ST. CATHARINES

## Technical Report

**Report from** Planning and Building Services, Planning Services

**Date of Report:** July 14, 2022

**Date of Meeting:** July 27, 2022

**Report Number:** B-47/22SC  
B-48/22SC  
A-96/22

**File:** 22107019  
22107023  
22107026

**Subject:** 155 Ontario Street

### Recommendation Consent

That the consent to sever in Application **B-47/22SC** by Seasons Retirement Communities (St. Catharines) GP Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner provide the City a draft reference plan indicating the proposed easement limits for the 200mm watermain through Part 1 lands, for review and approval, prior to the registration of the plan in the Land Registry Office;
2. That the Owner prepare a draft Easement Document indicating the future access and maintenance requirements to the Owner of Part 3 for the watermain through Part 1 lands, for review and approval, prior to the Easement Document registrations on title;
3. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
4. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
5. That all conditions of consent be fulfilled by July 27, 2024.

That the consent to sever in Application **B-48/22SC** by Seasons Retirement Communities (St. Catharines) GP Inc., as outlined in the Notice of Hearing, be approved subject to the following conditions:

1. That the Owner obtain final approval of concurrent Minor Variance application (A-96/22) from the Committee of Adjustment.
2. That the Owner provide the Secretary-Treasurer with the acknowledgement and direction for conveyance of the subject parcel, together with a copy of the deposited reference plan, for use in the issuance of the Certificate of Consent.
3. That a final certification fee of \$222.20 (2022 rate) per application payable to the Treasurer, City of St. Catharines, be submitted to the Secretary-Treasurer.
4. That all conditions of consent be fulfilled by July 27, 2024.



## Minor Variance

That Variances 1 and 2 of Application **A-96/22** by Seasons Retirement Communities (St. Catharines) GP Inc., as outlined in the respective Notice of Hearing, be approved, subject to the following condition:

1. That Variance 2 only applies to the required landscape buffer along the common lot line with 6 Adams Street.

## Report The Proposal

The Applicant proposes to sever the existing lot at 155 Ontario Street into three lots. Application B-47/22SC is made for consent to sever 12,092 square metres of land (Part 3) for a proposed future apartment building to be known as 159 Ontario Street. Application B-48/22SC is made for consent to sever 4,234 square metres of land (Part 2) for a proposed future apartment building to be known as 6 Adams Street. A 15,536 square metre remnant parcel (Part 1) will be retained with the existing Long-Term Care Facility. There is a concurrent minor variance application to address zoning deficiencies on the retained lot. The requested severances and variances are described in the tables below.

Application	Severed Parcel	Severed Area	Retained Parcel	Retained Area
<b>B-47/22SC</b>	Part 3 (159 Ontario Street)	12,092 m <sup>2</sup>	Part 1 and 2	19,770 m <sup>2</sup>
<b>B-48/22SC</b>	Part 2 (6 Adams Street)	4,234 m <sup>2</sup>	Part 1 (155 Ontario Street)	15,536 m <sup>2</sup>

Application	Variance #	Zoning Provision	Required	Proposed
<b>A-96/22</b> 155 Ontario Street (Part 1)	1	Minimum Lot Frontage	30.0m	15.0m
	2	Minimum landscape buffer between a parking area with more than 20 parking spaces but fewer than 100 parking spaces and lot line abutting a Residential or Institutional Zone	3.0m	0.0m

## Location and Site Description

The subject lands are located on the west side of Ontario Street, between Fourth Avenue and Adams Street. The property is surrounded by medium and high-density residential uses to the north and east, community institutional uses to the south, and natural areas (associated with Merritt Trail and Twelve Mile Creek) to the west. Montebello Park is located south-east of the subject properties.

There is a Long-Term Care Facility currently being constructed on the property.

## **Circulation of Application**

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

## **Planning Policy Context**

### **Official Plan (Garden City Plan)**

The subject property is designated Downtown on Schedule D1 of the Garden City Plan (GCP) and further designated Medium High Density Residential on Schedule E10. Apartment buildings and long-term care facilities are permitted in this designation.

### **Zoning By-law (2013-283)**

The subject property is zoned High Density Residential (R4). Apartment buildings and a long-term care facility are permitted in this zone.

## **Planning Analysis**

### **Consent**

Consent applications **B-47/22SC** and **B-48/22SC** request to sever the subject property into three lots. The existing Long-Term Care Facility will be located on the retained lot. The two new lots are proposed for future high-density residential development.

Section 16.11 of the GCP sets out a number of policies that applications for lot creation are evaluated against. Relevant policies are listed below with staff comments provided.

- 3) *Consents to sever individual parcels of land, including land assembly and lot boundary adjustments will only be permitted where:*
- a) *It is clearly apparent that no development could take place which would lead to significant expense by the City for public works or which would lead to further development leading to such expenses.*

The proposed severed lots will make use of existing infrastructure. Any required improvements to infrastructure, such as municipal streets, water, wastewater, and stormwater services, will be at the owner's expense. Therefore, there are no anticipated costs for the City.

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

The proposed consents are located within the City's built boundary and within an area that is substantially developed. The proposal seeks to retain the Long-Term Care Facility and to construct new high-density residential developments on the new lots. This represents context-sensitive infill development and contributes to providing a range of housing types.

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

The applicant has submitted plans demonstrating that the two new lots are sized to accommodate high-density residential development, including parking, outdoor amenity areas and landscaping. Staff are satisfied that the plans demonstrate development potential of the new lots. Any future developments on these new lots will be required to comply with applicable zoning provisions and Official Plan policies, including meeting density requirements. New developments will also be subject to site plan control.

The retained lot requires minor variances to recognize zoning deficiencies created by the creation of 6 Adams Street. These variances will be addressed in the next section. Staff are of the opinion that the proposed lot pattern represents the optimum development potential of the subject lands.

Staff recommend that the consent application **B-47/22SC** and **B-48/22SC** be approved, subject to conditions outlined in the recommendation.

## **Minor Variances**

### **Variance 1**

Variance 1 of Application A-96/22 requests a reduction in lot frontage. The retained lot will have a frontage of 15.0 metres on Adams Street. The minimum required lot frontage in the R4 zone is 30.0 metres for an apartment building. While the lot will have a 102.6 metre exterior side lot line along Ontario Street, the Zoning By-law defines the front lot line as the shortest lot line abutting a public street. This will be the lot line on Adams Street in the southwest corner of the site.

The intent of the minimum lot frontage is to ensure adequate building spacing, lot area, driveway access and consistent character of development in the area. The 15-metre lot frontage is negated by the irregular shape of the lot, on which a six-storey Long Term Care Facility is being built. Therefore, the lot can accommodate a building envelope, appropriate setbacks, landscaping, adequate parking, and site access. Staff note that the surrounding area is comprised of lots with varying frontage widths and overall size. The proposed lots are consistent with the prevailing character of the surrounding lots.

Overall, the reduction in lot frontage is not anticipated to have any negative impacts on the surrounding lands and is considered appropriate for the proposed development. Staff find the requested variance to be minor in nature, desirable for the appropriate development of lands, and meets the general intent of the Official Plan and Zoning By-law.

### **Variance 2**

Zoning By-law 2013-283 requires a minimum 3.0-metre-wide landscape buffer between a parking area with 20 to 100 parking spaces and the adjacent lot line, where the lot line abuts a Residential or Institutional Zone. The intent of this provision is to ensure adequate screening of the parking area, which results in an appropriate transition between the public and private realms. The provision also implements perimeter landscaping along lot lines to increase the amount of landscaped open space and improve the public domain.

The Applicant is requesting a reduction of the minimum width of the landscape buffer from 3 metres to 0 metres along the proposed lot line with the proposed lot at 6 Adams Street.

There is a proposed sidewalk along the drive aisle and parking spaces. The lot line is proposed to follow the edge of the sidewalk, leaving no room for a landscape buffer. Part 2 is identified in the existing site plan agreement for 155 Ontario Street as the second phase of development. The applicant intends to retain ownership of the new lot and develop the second phase. Staff are satisfied that perimeter landscaping on the proposed lot can provide necessary landscaping and screening along the drive aisle and parking area.

Staff are of the opinion that the requested variance is minor in nature, desirable for the appropriate development of the lands, and is in keeping with the general intent of the Official Plan and Zoning By-law. Staff recommend approval of this variance, subject to a condition that it only applies to the required landscape buffer along the common lot line with 6 Adams Street.

## Conclusion

Having regard for the matters under Section 53 of the *Planning Act*, staff are of the opinion that Consent Applications **B-47/22SC** and **B-48/22SC** meet the intent of the Zoning By-law and will have no adverse impacts on the surrounding area and environment. It is staff's recommendation that the requested consents be approved, subject to the conditions outlined in the recommendation.

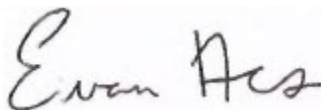
Having regard for the matters under Section 45 of *The Planning Act*, staff are of the opinion that Application **A-96/22** is in keeping with the general intent of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the lands. Staff recommend approval of the Application, subject to the condition set out in the recommendation.

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