



Staff Comments Regarding Files:

A43/08, A49/08, B01/09 & A1/09, B2/09, B3/09, A2/09, A3/09 and A4/09

A43/08 – 1174-1178 Armour Road - 2160288 Ontario Inc.

The proponent has advanced a proposal to construct two buildings on the subject property. This application is for a variance to increase the maximum commercial floor area of a building on the site from 745 square metres (8,019 sq ft) to 1,160 sq metres (12,486 sq ft) and increase the maximum permitted floor area per commercial purpose from 235 sq metres (2,529 sq ft) to 380 sq metres (4,090 sq ft) to accommodate various tenants.

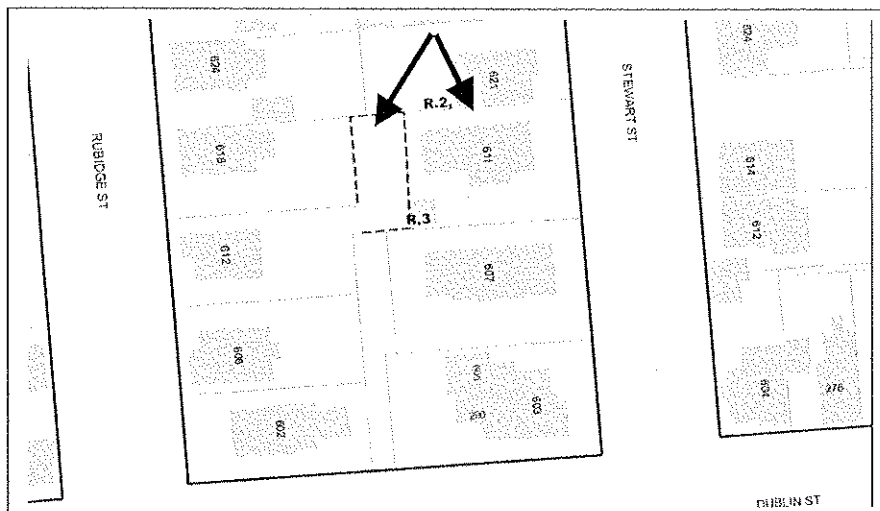
Since originally filed in September, the proponent is continuing to review the requirements of the Official Plan regarding the development of the subject property and has once again requested a further adjournment to a future meeting of the Committee.

A49/08 – 730 Hawley Street - 724 Erskine Inc.

The applicant has been required to provide a letter from the owner of the property permitting him to pursue this application of their behalf. The applicant has not provided the letter and is no longer interested in pursuing the application at this time.

B01/09 - 612 Rubidge Street - Andrea Barrett

Referring to the property map below, the owner of 612 Rubidge Street would like to convey the easterly 9 metres of the subject property to the owner of the adjacent property known municipally as 611 Stewart Street.



Addition of the easterly 9 metres of 612 Rubidge Street to the rear of 611 Stewart Street.

The portion of property is surplus to the requirements of 612 Rubidge Street and would improve the practical configuration of the two properties improving the conformity of 611 Stewart Street.

Staff considered the proposal and would concur that the conveyance would contribute to improving the logical and legal configuration of two properties. Subject to concerns raised by neighbouring property owners, Staff would support the conveyance of the property subject to the provision of a survey to the satisfaction of the City Planner.

A01/09, B02/09 & B03/09

242 Dublin Street & 617 Aylmer Street North - Paul Patterson & Cathy Hooper

The proponent has taken ownership of two properties in proximity to each other separated by an unopened right of way to which he also has rights. Both properties are zoned R.1, R.2 residential District. The building at 617 Aylmer Street is a single unit dwelling that is separated from Aylmer Street by a section of the Rotary Greenway Trail formerly a railway R.O.W. The property has no access to Aylmer Street and therefore has no onsite parking. The property at 242 Dublin Street has access from Dublin Street. The owner would like to develop and provide parking for both 242 Dublin Street and 617 Aylmer Street on a portion of 617 Aylmer Street.

The owner would like to redevelop the building at 242 Dublin Street for use as a duplex. The use of 617 Aylmer Street would remain a single unit dwelling. Referring to the plan attached as Exhibit A, the proponent is seeking the following variances to the regulations of the zoning district to permit the conversion of the building at 242 Dublin St. for use as a two unit dwelling:

- i) reduce the minimum lot area per dwelling unit from 278 square metres (3000 sq ft) to 208sq m (2238 sq ft);
- ii) reduce the minimum lot width per unit from 9 metres (29.5 ft) to 5.1 metres (16.7 ft); and
- iii) reduce the number of required parking spaces on the property from 2 to 0.

The proposed parking arrangement would involve conveying easements for access and parking between two properties. An easement over the driveway at 242 Dublin St. in favour of the owner of 617 Aylmer Street could provide access to adequate parking associated with both properties to be accommodated at 617 Aylmer Street by way of an easement in favour of the owner of 242 Dublin St.

The subject properties are on the fringe of the inner city and located on an off road bicycle route facilitating easy access to the down town core. Considering the entire land base between the two properties and the right of way the proposed additional unit would be approximately 28 units per hectare – slightly above the 25 units per hectare considered low density. Notwithstanding the proposed density figure, Staff is of the opinion that the impact of one additional apartment in a fringe inner city neighbourhood would not be significant especially where parking can be addressed. Considering the configuration of the two properties and the size of the buildings at 242 Dublin Street, Staff is of the opinion that the proposal is not un- reasonable in terms of the significance of the variances sought and the degree of intensification that would result. Staff is also of the

opinion that the proposed easement sought would foster an arrangement for on site parking associated with the two properties that would be a solution to the problem for motor vehicles associated with 617 Aylmer Street North.

Staff have some concerns with the execution of the development specifically the location and maintenance of the parking and access on the subject properties as well as fencing that would separate the parking area from the bicycle trail.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variances described and consent regarding the two easements for access and parking subject to the following:

- 1) payment of a parks levy for the additional unit that would result, of an amount to be determined by the Parks Levy Review Committee,
- 2) The applicant entering into a site plan agreement with the City regarding the development of the driveway and parking at 617 Aylmer Street North including the fencing of the property in relation to the public trail to the satisfaction of the Planner of Urban Design.

A02/09 – 3 Edgewater Boulevard - Andy Rothfisher

The applicant is renovating and expanding the dwelling on the property and would like to construct a larger, covered verandah in place of the concrete stoop and steps at the front entrance. A variance is therefore requested to reduce the minimum building setback from the front street line from 1.37 metres (4.5 ft), being the setback of the dwelling on the adjacent lot, to 0.64 metres (2.12 feet). The variance would permit a 1.14 m (3.75 ft) X 3.65 m (12 ft), unenclosed covered verandah to be constructed at the front of the dwelling as illustrated on Exhibit B.

The subject property is one of a number of properties in the neighbourhood that are being renovated to improve the dwellings in relation to contemporary residential standards. Staff have visited the site and considered the variance in relation to the standard of development of adjacent properties and is of the opinion that the impact of the variances sought would be minor and the resulting upgrade to the building would improve the functionality of the dwelling without departing significantly from the zoning regulations and what could be achieved on other properties in the vicinity.

Subject to concerns rained by neighbouring property owners, Staff would not object to the Committee granting the variances as described.

A03/09 – 1293 Clonsilla Avenue - Younis Properties Inc.

The owner would like to expand the area within the existing building that is used for a drug store. A variance is therefore requested to increase the maximum floor area per commercial purpose permitted by the zoning district from 140 square metres (1506 sq ft) to 348 square metres (3745 sq ft).

A decision of the Committee A145/85 granted a variance to increase the maximum floor area for a convenience store operation to 589 square metres (6539 sq ft).

The parking was available on the property and it appears to have functioned since 1985. The C.1 Commercial Zoning district permits a drug store, which from a parking assessment standpoint, operates similar to the convenience store. Considering that there is adequate parking on site and that convenience store will be giving way to the drug store as the principal use of the property Staff is of the opinion that the impact of the variance sought would not be significant.

Subject to concerns raised by neighbouring property owners Staff would not object to the Committee granting the variance as described provided that on site parking is provided in accordance with the by-law considering other uses within the building.

A04/09 – 286 Simcoe Street and 375 Stewart Street
YWCA of Peterborough, Victoria and Haliburton

The applicant has made modifications to the building plans for development of the YWCA housing project on the subject property and is seeking the following variance to the zoning regulations:

- i) increase the maximum building coverage of the lot from 45% to 61% to include a sub surface basement under the courtyard that is open on the surface; and
- ii) reduce the minimum building setback from both Simcoe Street and Stewart Street from 6 metres (19.6 ft) to 2.41 metres (7.9 ft) regarding the canopy structure projecting out in front of the building face.


The proposed development was before the Committee on October 6, 08 and received variances to the setbacks from the street lines and building coverage as described on Exhibit D. The proponent and the architect reviewed the plans of the project and determined that although the courtyard on the surface was not included as building coverage, the sub surface basement did by definition, qualify as building coverage and hence the need for the variance. Staff also noted that the dimensions on the latest plans filed indicated that the extended eaves or canopy structure was 2.41 metres (7.9 feet) from the Simcoe Street and Stewart Street street line. The variance granted was to 2.63 metres.

Staff considers the variances requested by this application to be required to address the details of plans that came to light through the preparation and review of the final set of building plans. Staff is of the opinion that the impact of the variance regarding the sub surface structure would be minor in that the structure is not only underground but internal to the building. Staff is of the opinion that the variances regarding the canopy is also a minor deviation from the original plan that was acceptable to the Committee but required to be legally correct.

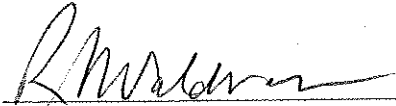
The building attached plans as Exhibit E also illustrate a wheel chair ramp access to the entrance on Stewart Street. Considering the height of the ramp, the proposal would require a variance to reduce the minimum setback of the structure from Simcoe street

from 6 metres to 0 and reduce the minimum setback of a visual obstruction from the intersection of two street lines from 21.3 metres to approximately 17 meters. An encroachment agreement would also be necessary regarding the structure on City Property. Considering the variances that would be necessary to allow the wheel chair ramp to be constructed where it is shown on the plan, Staff is of the opinion that they are not minor and the impact of the structure in the proposed location could result in development not desirable considering safety concerns with respect to both pedestrian and vehicular traffic in the area. Staff would recommend that the variances not be considered and an alternative location of the barrier-free access to the building be sought.

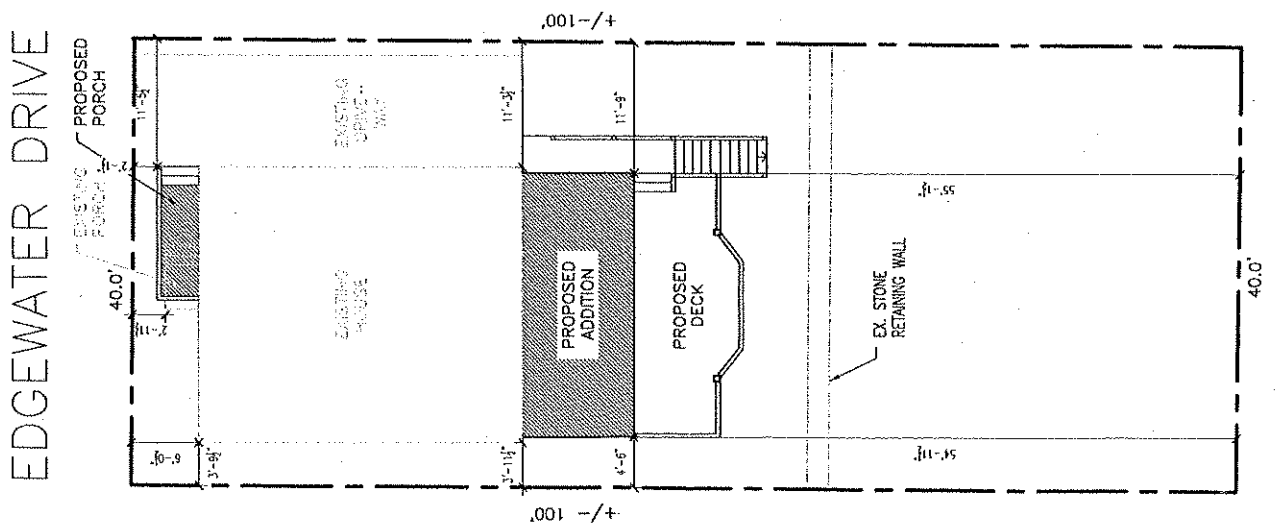
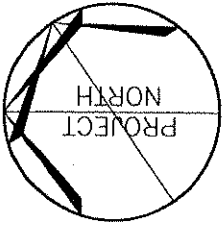
Respectfully submitted,



Richard Straka
Planner Policy & Research



R. Waldron, C.E.T., CBCO
Manager, Building Division

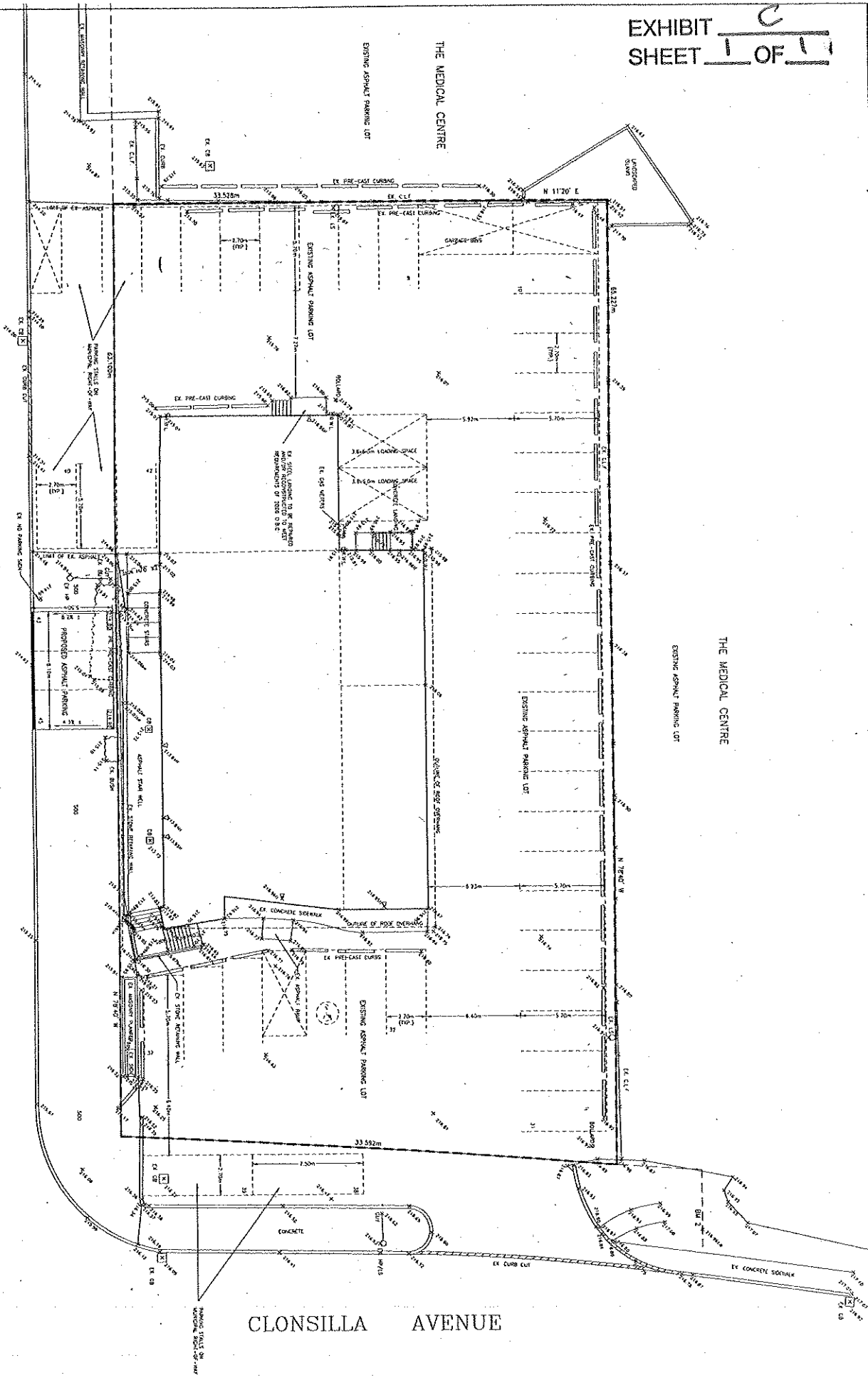


VICTORY CRESCENT

CLONSILLA AVENUE

THE MEDICAL CENTRE

THE MEDICAL CENTRE



File A03/09

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

NOTES

SCHEDULE "A"

FILE NO: A36/08
APPLICANT: TREVELYAN ARCHITECT INC.
ADDRESS OF PROPERTY: 286 SIMCOE STREET
DATE OF DECISION: OCTOBER 16, 2008

The purpose of this application is to request the following variances:

- i. increase the maximum building coverage from 45% to 52.5%;
- ii. reduce the minimum building setback from Stewart Street and Simcoe Street from 6 metres (19.6 ft) to 2.63 metres (8.66 ft); and
- iii. reduce the setback of the north side lot line from 2.4 metres to 1.2 metres.

DECISION

The Committee reviewed the application and determined that the property is a corner lot on high profile site with sidewalks on both the south and east side of the property, with open sight lines from the intersection of Simcoe Street and Bethune Street. The Committee noted that the extended canopy design for which the variance is sought enhances the aesthetic appeal of the building from the street. It is the Committee's opinion that the design of the new building on both 286 Simcoe Street and 375 Stewart Street, improves the street profile, reduces portions of the building massing in relation to the street and reduces the non-conforming setback of buildings on both properties considering the current state of development.

Accordingly, the Committee determined that:

1. the variances are minor;
2. the proposal is desirable for the appropriate development or use of the land;
3. the general intent and purpose of the Zoning By-law is maintained; and,
4. the general intent and purpose of the Official Plan is maintained.

Therefore, minor variances are granted to:

-
- i. increase the maximum building coverage to 52.5%;
 - ii. reduce the minimum building setback from Stewart Street and Simcoe Street to 2.63 metres regarding a canopy structure extending from the building face; and
 - iii. reduce the setback of the north side lot line to 1.2 metres regarding the extended canopy structure.

