

COMMITTEE OF ADJUSTMENT

Minutes of a Meeting of the Committee of Adjustment for the City of Peterborough held **Tuesday, February 23, 2010**, at 7:00 p.m., in the General Committee Room, City Hall.

PRESENT: Mr. Paul Dorris, Chairperson
Mr. Keith Riel
Mr. Claude Dufresne
Ms. Margaret Wood
Mr. Alan Porteous

ALSO PRESENT: Mr. Richard Straka, Planner, Policy and Research
Mrs. Carolyn Jobbitt, Secretary Treasurer

REGRETS: Mr. Bob Waldron, Manager, Building Division

1. **FILE NO:** B01/10
ADDRESS: 1607, 1619 and 1633 Lansdowne Street West
APPLICANT: Howell, Fleming
2. **FILE NO:** B01/10
ADDRESS: 1607, 1619 AND 1633 Lansdowne Street West
APPLICANT: Howell, Fleming

This matter relates to a minor variance application submitted by Messrs. Howell, Fleming, Barristers & Solicitors, 415 Water Street, P. O. Box 148, Peterborough, Ontario, K9J 6Y5, on behalf of 1494282 Ontario Inc., 637 The Queensway, Suite 17, Peterborough, Ontario, K9J 7J6, being the owner of the property subject to this application.

The purpose of these applications is as follows:

- i) To request consent to sever the northerly 75.65 metres of property from the southerly 1.62 hectares of land. The purpose is to separate ownership of the lands designated for commercial development in relation to Lansdowne Street from the retained lands that will form a part of a future plan for residential subdivision.
- ii) To request a reduction of the minimum lot area regulation of the southerly property from 16 hectares to 1.62 hectares and for relief from Section 6.5 of the zoning by-law that would require a building lot to abut a street.

The Chairman confirmed receipt of a written request from the Applicant requesting a deferral until the next Committee of Adjustment meeting to permit the owner of the property to address some outstanding issues with an abutting property owner.

No one spoke in objection to the application and no written objections were received.

DECISION

The Committee agreed to adjourned this application to the next hearing of the Committee of Adjustment, scheduled for March 23, 2010, to permit the owner of the property to address some outstanding issues and be in a position to proceed with the applications.

3. **FILE NO.** **A03/10**
 ADDRESS: **63 Weller Street**
 APPLICANT: **J. Laurie Young Drafting and Design**

This matter relates to a minor variance application submitted by J. Laurie Young Drafting and Design, 3197 Westridge Blvd., Peterborough, Ontario, K9K 1Z5, on behalf of Jim Williams Construction Inc., 1675 Waddell Crescent, Peterborough, Ontario, K9K 2G9, being the owner of the property subject to this application.

Ms. Laurie Young attended the meeting and addressed the Committee as follows:

- Her client would like to construct a fully accessible dwelling for persons with disabilities.
- The owner would like to construct a dwelling on the property and is seeking variances to the regulations of the zoning district.
- A variance is requested to reduce the minimum building setback from the rear lot line from 12 metres (39.3 ft) to 10.43 metres (34.25 ft) for the dwelling and to 8 metres (26.42 ft) regarding an elevated deck attached to the dwelling.

Mr. Richard Straka, Planner, Policy & Research, presented staff comments with respect to the application on behalf of the Building and Planning Division of the Planning & Development Services Department, City of Peterborough.

Staff further advised that a neighbouring property owner had contacted the Planning Division regarding the management of water drainage from the subject property onto adjacent properties. In this regard, staff provided the following information:

- The nearest catch basin is located in the proximity of Weller Crescent and Weller Street.
- There is no storm sewer or easement east of the subject property.
- Based on a revised plan submitted by the applicant, provision has been made for the construction of a retaining wall which would channel the flow of surface water from behind the proposed dwelling, around to the side yard, to the front of the property and ultimately making its way onto the City boulevard along Weller Crescent.

The following persons attended the meeting to address the Committee:

- i) Bob Bergmann, 1180 Weller Street, Peterborough, Ontario, K9J 7M8
 - Mr. Bergman addressed the Committee with a powerpoint presentation demonstrating the effect on his property from lack of storm water management on the neighbouring properties.
 - He is in support of this application provided that storm water management is addressed as a requirement of development of the subject property.
- ii) Mrs. Lori Quinlan, 1172 Weller Street, Peterborough, Ontario, K9J 7M8
 - She is in support and agreement with the comments expressed by Mr. Bergmann.
 - She is in support of this application provided that storm water management is addressed as a requirement of development of the subject property.

- iii) Mr. Oscar Straub, 35 Weller Crescent, Peterborough, Ontario, K9J 6J4
 - He is concerned with the impact on his property by the granting of the variances.
 - He is not in support of the proposed application.
- iv) The Chairman read a letter from Mr. Jack Veenman, 1186 Weller Street, Peterborough, Ontario, K9J 7M8. Mr. Veenman supports the proposed variance, however, would like storm water management addressed as a requirement of development of the subject property.

In response to questions from the Committee, Ms. Young advised as follows:

- The dwelling has a walkout basement.
- There is an elevator located in the dwelling to provide access to the lower level of the dwelling.
- The property is completely accessible for persons with disabilities. Accordingly, there are no steps at the front door or in the garage.
- The main floor is 2,104 square feet.
- The main floor would be approximately 1,500 square feet if the dwelling was not constructed to be handicapped accessible.
- The deck extends 7.10 feet into the rear yard and is 32 feet across the back of the dwelling.
- The retaining wall is to be constructed from armour stone, which, in her opinion, would be very appealing to the abutting property owners.
- She is uncertain as to the particulars for the construction of the retaining wall or what other precautions the owner is proposing with respect to storm water management.
- It is her client's intention to preserve as many trees as possible during the course of construction of the dwelling and the retaining wall.

In response to questions from the Committee the neighbours in attendance advised as follows:

- With the exception of a property located on the northwest corner of Weller Street, where a swimming pool was installed, they are unaware of any other construction in the neighbourhood over the past few years.
- It is not known if the water from the subject property is a spring.

DECISION

The Committee Members reviewed the application and determined that they had questions that they wished to be addressed by the property owner regarding the construction of the retaining wall and other storm water management issues. The Committee Members further noted that they would like to have comments from the City Engineer regarding the current storm water management issues and the latest drainage plan presented February 23, 2010. Accordingly, the Committee adjourned this application to the next Committee of Adjustment meeting, to be

held on March 23, 2010, to permit the property owner an opportunity to attend before the Committee and submission of a report from the City Engineer.

NEXT MEETING:

The next meeting of the Committee of Adjustment is scheduled for March 23, 2010.

ADJOURNMENT:

Meeting adjourned at 8:45 p.m.

Dated the 4th day of March, 2010.

(Sgd.)

Paul Dorris
Chairman

(Sgd.)

Carolyn Jobbitt
Secretary-Treasurer