

COMMITTEE OF ADJUSTMENT

Minutes of a Meeting of the Committee of Adjustment for the City of Peterborough held Tuesday, June 29, 2010 at 7:00 p.m., in the General Committee Room, City Hall.

PRESENT: Mr. Paul Dorris, Chairperson
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
Mr. Keith Riel

1. **FILE NO.** A14/10
ADDRESS: 417 Dublin Street
APPLICANT: Christopher Gooderham and Erin McGauley

This matter relates to a minor variance application submitted by Christopher Gooderham and Erin McGauley, 417 Dublin Street, Peterborough, Ontario, K9H 3E1, being the owners of the property subject to this application.

Mr. Gooderham attended the meeting and address the Committee as follows:

- He would like to construct a 9.1 metre (30 ft) by 4.87 metre (16 ft), two storey addition to the rear of the dwelling on the property.
- In that the lot is irregular shaped, a variance is requested to reduce the minimum building setback from the easterly rear lot line from 7.6 metres (25 ft) to 3.5 metres (11.48 ft) to permit the addition in proximity to what practically relates to the development as a side lot line.
- The existing mudroom will be removed and the new addition will extend across the rear of the dwelling 30 feet and extending 16 feet into the rear yard.
- The second storey will have a 14 foot by 14 foot dormer.
- The exterior finish of the dwelling will be similar to the existing dwelling and eavetroughing will be established and maintained on the addition.
- The interior of the addition will be for an extension to the kitchen and additional living space. The second storey will be used for an office/studio.

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.

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

DECISION

The Committee reviewed the application and determined that the proposed addition would be 4.5 metres from the rear lot line permitting sufficient space to enter into the

rear yard. The Committee further considered the impact of the variance in relation to what practically relates to the development as a side lot line to be minor allowing development that would be in keeping with the standard of development in the neighbourhood.

Accordingly, the Committee determined that:

1. the variance is 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, a minor variance is granted to reduce the minimum building setback from the easterly rear lot line to 3.5 metres to permit the addition to the dwelling.

2. **FILE NO. A15/10**
ADDRESS: 481 Braidwood Ave.
APPLICANT: Muriel Crough

This matter relates to a minor variance application submitted by Muriel Crough, 481 Braidwood Ave., Peterborough, Ontario, K9J 1V7, being the owner of the property subject to this application.

Mr. Cory Lounsbury, 411 Spillsbury Drive, Peterborough, Ontario, K9K 2N6, attended the meeting and addressed the Committee as follows:

- The owner of the property would like to add a carport to the building on the property.
- Accordingly, a variance is requested to reduce the minimum building setback from the east side lot line from 1.2 metres (3.93 ft) to 0.6 metres (2 ft) to permit a 3.8 metre (12.6 ft) by 7.6 metre (25 ft) carport to be attached to the east side of the dwelling.
- The carport will be open sided.
- Eavestroughing will be established and maintained on the proposed carport.
- They are requesting a carport that is 25 feet in length to assist in minimizing snow drifting and snow shovelling.

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.

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

DECISION

The Committee reviewed the application and determined that there would be no impact on the neighbouring properties from the construction of an open-sided carport, provided that eavestroughing was established and maintained on the structure. The Committee further determined that the proposed carport was in keeping with the standard of development in the neighbourhood.

Accordingly, the Committee determined that:

1. the variance is 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, a minor variance is granted to reduce the minimum building setback from the east side lot line to 0.6 metres to permit a 3.8 metre by 7.6 metre open-sided carport to be attached to the east side of the dwelling PROVIDED that eavestroughing is established and maintained on the structure to manage storm water on the subject property so as not to affect the neighbouring property.

3. **FILE NO.** **A16/10**
 ADDRESS: **23 Edgewater Blvd.**
 APPLICANT: **Rob Irwin and Julie Mycyk**

This matter relates to a minor variance application submitted by Robert Irwin and Julie Mycyk, 23 Edgewater Blvd., Peterborough, Ontario, K9H 1A1, being the owners of the property which is subject to this application.

Mr. Irwin attended the meeting and addressed the Committee as follows:

- He would like to construct a covered verandah across the front of the dwelling and an addition to the rear of the dwelling. The steps will extend towards the driveway and not towards the street.
- A variance is therefore requested to reduce the minimum building setback from the Edgewater Boulevard street line from 6 metres (20 ft) to 3.58 metres (11.74 ft) to permit the open-sided verandah and reduce the minimum building setback from the west side lot line from 1.2 metres (3.93 ft) to 1.16 metres (3.80 ft) to acknowledge the location of the existing building and permit the extension of the building to the rear in line with the building as it is established.
- The addition at the rear will be a single storey, irregular shape with a deck to the side of the addition. The southwest corner of the addition will be a livingroom and the southeast corner will be a deck. The exterior of the house will be refinished in the same material as the addition.
- The verandah will be open-sided, with a shed roof, 21 feet wide and will have depth of 7 feet.

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.

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

DECISION

The Committee reviewed the application and noted that Edgewater Blvd. is a local street that has limited motor vehicle traffic. The Committee further noted that the proposed verandah adds to the aesthetic design of the dwelling and contributes to the pedestrian orientation of the neighbourhood. The Committee determined further that the variance in relation to the west side lot line to accommodate the proposed addition to the rear of the dwelling is minor and would not impact the abutting property owners.

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, the following minor variances are granted:

- i) to reduce the minimum building setback from the Edgewater Boulevard street line to 3.58 metres to permit a one storey, open-sided verandah; and
- ii) to reduce the minimum building setback from the west side lot line to 1.16 metres to acknowledge the location of the existing building and permit the extension of the two storey building to the rear in line with the building as it is established.

4. **FILE NO.** A17/10
ADDRESS: 775 Snelgrove Road
APPLICANT: Robert J. Crowe

This matter relates to a minor variance application submitted by Robert J. Crowe, 775 Snelgrove Road, Peterborough, Ontario, K9H 2E8, being the owner of the property subject to this application.

Mr. Crowe attended the meeting and addressed the Committee as follows:

- He would like to construct a covered, open-sided, verandah across the front of the dwelling in place of the concrete stoop and awning at the front entrance to the building.
- A variance is therefore requested to reduce the minimum building setback from the Snelgrove Road street line from 6 metres (20 ft) to 4.11 metres (13.5 ft) to permit the proposed, 7.9 metre (26 ft) by 1.8 metre (6 ft) structure.
- He is proposing to establish and maintain eavestrouthing on the verandah.

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.

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

DECISION

The Committee reviewed the application and noted that the existing trees on the subject property would mitigate any effect the verandah may have on abutting property owners. The Committee recognizes that the proposed verandah is not the standard of development in the neighbourhood. However, it is the Committee's opinion that the proposed verandah will enhance the appearance of the front of dwelling and reflects more contemporary values in terms of both desired building aesthetics and how people use their dwellings from a practical perspective.

Accordingly, the Committee determined that:

1. the variance is 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, a minor variance is granted to reduce the minimum building setback from the Snelgrove Road street line to 4.11 metres to permit the proposed 7.9 metre by 1.8 metre, one storey, open sided verandah.

5. **FILE NO.** **A18/10**
 ADDRESS: **279 Swanston Ave.**
 APPLICANT: **Steve Gooley**

This matter relates to a minor variance application submitted by Steve Gooley, 279 Swanston Ave., Peterborough, Ontario, K9H 1P6, being the owner of the property subject to this application.

Mr. Gooley attended the meeting and addressed the Committee as follows:

- He would like to construct a covered verandah across the front of the dwelling in place of the concrete stoop and awning at the front entrance.
- A variance is therefore requested to reduce the minimum building setback from the Swanston Avenue street line from 6 metres (20 ft) to 4.5 metres (14.7 ft) to permit the proposed, 7.6 metre (25 ft) wide by 1.8 metre (6 ft) structure.
- He originally applied for a variance to permit a 7.6 metre (25 ft) by 1.5 metre (5 ft) structure. However, since applying for this variance he has determined that the extra foot will permit the pitch of the roof to be more appropriately set by the designer of the verandah and the 6 foot deck would be a more practical design.
- The verandah is to be open-sided, with a hip roof.
- He will be installing eavestroughing on the verandah

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.

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

DECISION

The Committee reviewed the application and recognized that the proposed verandah is not the standard of development in the neighbourhood. However, it is the Committee's opinion that the proposed verandah will enhance the appearance of the front of dwelling and reflects more contemporary values in terms of both desired building aesthetics and how people use their dwellings from a practical perspective.

Accordingly, the Committee determined that:

1. the variance is 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, a minor variance is granted to reduce the minimum building setback from the Swanston Avenue street line to 4.5 metres to permit the proposed, 7.6 metre wide by 1.8 metre open sided verandah.

6. **FILE NO.** **A19/10**
 ADDRESS: **231 Bowen Drive**
 APPLICANT: **Mason Homes Limited**

This matter relates to a minor variance application submitted by Mason Homes Limited, 30 Pennsylvania Avenue, Unit #6, Concord, Ontario, L4K 4A5, being the owner of the property subject to this application.

Ashley Mason, Vice President, Residential & Commercial Development, for Mason Homes Limited, attended the meeting and addressed the Committee as follows:

- Mason Homes would like to establish a single car garage in the rear yard.
- Variances are therefore requested to reduce the minimum distance that a detached garage may be located from a street line from 6 metres (20 ft) to 3.24 metres (10.6 ft) and reduce the minimum distance of a driveway from the intersection of Bowen Drive and Logan Lane from 6 metres (20 ft) to 1.69 metres (5.5 ft).
- This lot has not yet been sold and accordingly, the style of dwelling has not yet been determined.
- She has read the staff report and is in agreement with the conditions set out in the report.
- It is her opinion that a garage is important to any prospective purchaser. Further, a garage on the property is in keeping with other properties in the subdivision.

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.

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

DECISION

The Committee reviewed the application and noted the size of the property and the circumstances regarding the location of the driveway in relation to the intersection of the two public roadways including the City Boulevard and sidewalk. In the Committee's opinion the property needs to have a driveway to access parking on the property that would be most appropriately located to the rear of the dwelling with access from Logan Lane rather than directly onto Bowen Drive, provided that site lines in relation to the intersection are maintained.

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) reduce the minimum distance that a detached garage may be located from a street line to 3.24 metres; and
- ii) reduce the minimum distance of a driveway from the intersection of Bowen Drive and Logan Lane to 1.69 metres.

PROVIDED THAT:

- i) No visual obstruction or fencing of any type is permitted within 6 metres of the northerly limit of the lot (Logan Lane);
- ii) The area between the west side of the proposed garage and the west lot line is not to be used for parking purposes; and
- iii) Notwithstanding Section 4.8 (5) of the zoning by-law, no driveway would be permitted to the subject property other than the 3.35 metre wide driveway to the rear of the lot from Logan Lane.

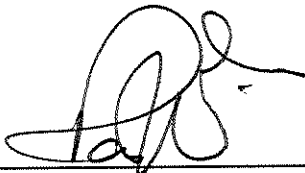
NEXT MEETING:

The next meeting of the Committee of Adjustment is scheduled for July 20, 2010.

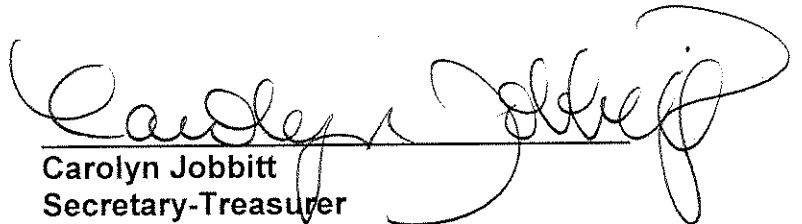
ADJOURNMENT:

Meeting adjourned at 8:40 p.m.

Dated the 7th day of July, 2010.



Paul Dorris
Chairman



Carolyn Jobbitt
Secretary-Treasurer