



City of  
**Peterborough**

## COMMITTEE OF ADJUSTMENT

HEARING DATE: May 17, 2011

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**Staff Comments Re: Files: B07/11, A08/11, A11/11, A12/11, A13/11, A14/11, A15/11 & A16/11**

**A08/11 – 661 Lansdowne Street West & 769 Bordan Avenue**  
**Loblaws Superstore**

This application was adjourned from the hearing of the Committee on April 19, 2011 to receive a legal opinion from the City Solicitor.

Having reviewed the decision of the Committee regarding Application File A11/09, it is the opinion of the City Solicitor that a variance is not required at this time to permit the temporary garden centre.

**A11/11 – 255 McDonnel Street - 8805073 Ontario Ltd.**

This application was adjourned from the previous hearing date of April 19, 2011 to allow staff to investigate with the proponent, the circumstances regarding previously existing development of the property.

It was determined through municipal records that in 2004, a demolition permit was applied for and issued to remove the southerly portion of the building damaged by fire. Since 2004 the ownership of the property has changed, the area previously occupied by the building was fenced off and used as parking in conjunction with the use and development of the balance of the property. The circumstances were discussed with the owner and the variance requested regarding the proposed extension of the westerly industrial building to the south has been withdrawn.

The proponent remains interested in raising the elevation and constructing a pitched roof on the 376 square metre building that exists on the west side of the property as shown on Exhibit A attached to the Staff Report. A variance is therefore requested to reduce the minimum building setback from the centre line of McDonnel Street from 24.4 metres to 18.97 metres and from 19 metres to 12.5 metres in relation to Bethune Street.

The proposed cottage style roof design would have regard for the Transitional Use policies of the Official Plan requiring that attention be paid to development standards including compatible building design and effort toward minimizing the impact on adjacent residential uses.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance to reduce the setback as described for the existing building provided that the design is altered to the cottage roof design and the height of the building as defined in the zoning by-law is no greater than 6 metres (20 ft).

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**B07/11 – 377 Park Street North - Ewa Pazdzior & Noel Savage**

Referring to the Plan attached to the Staff report as Exhibit B, the owner of 377 Park Street North would like to convey ownership of the westerly 21.1 metres (69.2 ft) of the property to the owner of the adjacent property 380 Belmont Avenue.

Both the subject property and 380 Belmont Avenue are zoned R.1, 1m,2m Residential. While the building on the property at 380 Belmont Avenue is a single unit dwelling, the building on the subject property contains 4 dwelling units and the use is recognized as legal non-conforming in relation to its zoning. Notwithstanding the zoning, staff analyzed the property under the R.3 zoning and determined that the use could conform considering the size of the property as it exists and if the severance was permitted. The westerly 21.1 metres of the property can therefore be regarded as surplus to the needs of the subject property and would add amenity space to the rear of the property associated with 380 Belmont Street.

It should be noted that Park Street North is designated as a high capacity collector street with a planned width requirement of 23 metres compared to its present width of 20 metres. Staff would have no objection to the Committee granting the consent requests to convey ownership of the westerly 21.1 metres of the property known as 377 Park Street North to the owner of the adjacent property 380 Belmont Avenue provided that Section 50(5) of the *Planning Act* apply to any subsequent transaction involving the parcel and on the condition that the owner convey to the City, free of encumbrances at no cost to the City, a 1.5 metre wide strip across the frontage of the subject property for the purpose of widening the road allowance.

**A12/11 – 1465 Lansdowne Street West - Geertsma Homes Ltd.**

The subject property is zoned SP.299 Special District – a rather complex zoning applied to allow flexibility in building form and density in terms of dwelling units on different parts of the property. Development of the property has taken place in phases which has culminated in this application regarding the potential development of the last portion of the property. Rather than a larger, 3 storey, multi-suite residential building, the proponent is now contemplating one storey walk out, townhouse style buildings similar to the current development of the property that would be closer to the east side of the property separated by a 5 metre wide easement along the property line.

Referring to the plans attached as Exhibit C, a variance is requested to reduce the minimum building setback and the minimum required landscaped open space from the east side lot line from 7.6 metres to 5 metres to permit the proposed development.

Considering the proposed town house style building form and the nature of the adjacent land use being high school sports fields, Staff would not object to the Committee granting the variances as described provided that the variances would only pertain to the town house style development with a building height of no greater than two storeys located in Area 2 of Schedule A to Section 329 of the zoning by-law. Staff would suggest that enhanced landscaping requirements where possible will be required through the site plan agreement approval process to buffer the reduced width of the landscaped separation.

**A13/11 – 1518 Ravenwood Drive - Warren & Dainne Dunfield**

Staff visited the property and noted the standard of development of other properties in the neighbourhood. It was apparent that other property owners valued the sun room addition to the back of their dwellings in place of the open yard amenity space. Referring to the plan attached as Exhibit D, Staff also noted that the subject property is irregular in shape and the dwelling is constructed parallel to the south side lot line resulting in the rear of the building being on an angle to the rear lot line.

Considering the standard of development in the neighbourhood and the angle of the rear lot line in relation to the proposed addition Staff is of the opinion that the impact of a one storey, 20 sq metre sun room would be minor provided that no deck would be constructed between the sun room and the reduced setback from the rear lot line that would result from the variance.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting a variance to reduce the minimum building setback from 7.6 metres (24.9 ft) to 6.5 metres (21.3 ft) to allow a one storey, 5.4 metre (18 ft) by 3.6 metre (12 ft) sunroom addition to the rear of the dwelling provided that no deck would be constructed between the sun room and the reduced setback from the rear lot line.

**A14/11 – 1116 Hayes Street - Andrew Dufrane**

The owner is requesting a variance to reduce the minimum building setback from the Hayes Street street line from 6 metres (19.6 ft) to 4.1 metres (13.4 ft) to allow construction of an open sided, covered verandah across the front of the dwelling as illustrated by Exhibit E.

Staff visited the property and would describe Hayes Street as a pedestrian oriented, local street with very limited traffic. The subject property is actually located at the north end of the street which is a dead end adjacent to the rear yard of a church parking area and across the street from the flankage of only one dwelling. The dwelling on the property is a two storey building of a design that would benefit from the addition of the proposed verandah from both a functional and aesthetic perspective.

Staff also noted that there are other dwellings of similar design along the street and they are all setback 20 metres from the street line except for the corner lots that flank on to the street. While staff are cognisant of the potential for setting a precedent with the variance Staff is of the opinion the result would be desirable and contribute to the standard of development in the neighbourhood without a significant impact.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described provided that the roof design of the verandah is one storey only and of a cottage style design to minimize building massing.

**A15/11 – 910 Monaghan Road -- Canadian Canoe Museum - John Summers**

A variance is requested from Section 6.1 (b) of the sign by-law to increase the maximum permitted area of the sign in relation to the façade from 15% to 30.25%. A mock up image of the building with the proposed signage is attached to the report as Exhibit F.

The proposal is to celebrate the contents of the building by wrapping a large scale, pictorial motif around the building together with banners on the corner of the building and a sign at the top of the building on its south face.

The Canadian Canoe Museum has been established in a reconditioned industrial building for some time which offers the space required to accommodate canoes for display. While the building is simple in design with little architectural character to offer as a museum, staff regard the proposal as an attempt to improve the exterior image of the building to appear more like a museum. The attempt is to take advantage of the large scale venue of the building and site situation and use the simplicity of the building form in a way to communicate the existence of its purpose and contents. This may be compared similar to the periodic exhibits featured by banners in front of large buildings located in high profile venues of larger cities such as the Royal Ontario Museum in Toronto featuring the King Tut exhibit as an example.

Staff considered the nature of the use being a museum rather than a commercial establishment. Staff also considered the size of the building, the nature of surrounding uses and the large separation distance from adjacent land uses and development in the vicinity and would offer the opinion that while the effect of the proposal that would result from the variance would be significant, the negative impact would be would not be. Subject to concerns raised by neighbouring property owners, staff would not object to the Committee granting the variance as described.

#### **A16/11 – 1759 Stenson Boulevard - Dan and Francies Godfrey**

Referring to the Plan attached as Exhibit G, the owner is requesting a variance to reduce the minimum building setback from the rear lot line from 7.6 metres (24.9 ft) to 5.9 metres (19.3 ft) to permit a proposed 9.75 sq. metre (104 sq ft) addition to the dwelling.

Staff visited the neighbourhood and also referring to aerial photos in noting that the buildings on properties that the subject property backs onto are setback 9 metres or more offering spatial separation between buildings that is greater than the by-law minimum. Staff considered this characteristic together with the irregular shape and size of the subject property that also offers greater spatial separation between buildings on adjacent properties, Staff is of the opinion that this is a unique circumstance and the impact of the variance could be considered minor.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting a variance to reduce the minimum building setback from the rear lot line from 7.6 metres (24.9 ft) to 5.9 metres (19.5 ft) to allow a one storey, 23 sq metre addition to the rear of the dwelling provided that no deck would be constructed between the addition and the reduced setback from the rear lot line.

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**Richard Straka**  
Planner Policy & Research

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

RESIDENTIAL

MCDONNELL STREET

EXISTING CONCRETE SIDEWALK

EXISTING BUILDING  
FINISHED FLOOR ELEVATION = 200.18

EXISTING PARKING LOT

PROPOSED ADDITION OVER  
EXISTING FOUNDATION  
FINISHED FLOOR = 200.18

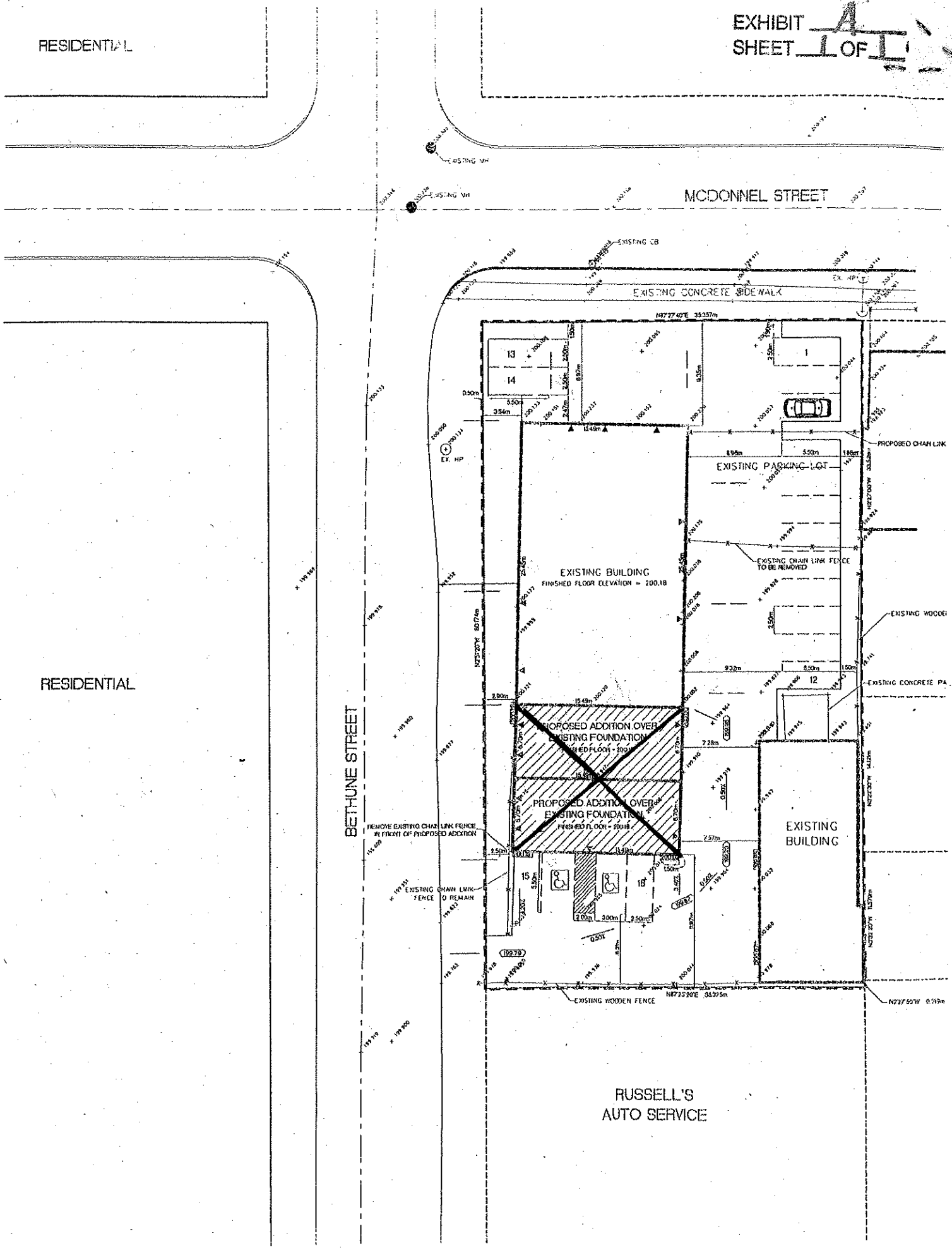
PROPOSED ADDITION OVER  
EXISTING FOUNDATION  
FINISHED FLOOR = 200.18

EXISTING BUILDING

RUSSELL'S  
AUTO SERVICE

BETHUNE STREET

RESIDENTIAL



BELMONT AVENUE

EXHIBIT B  
SHEET 1 OF 1

REGISTERED

REGISTERED PLAN No. 88  
LOT 30

REGISTERED PLAN No. 88

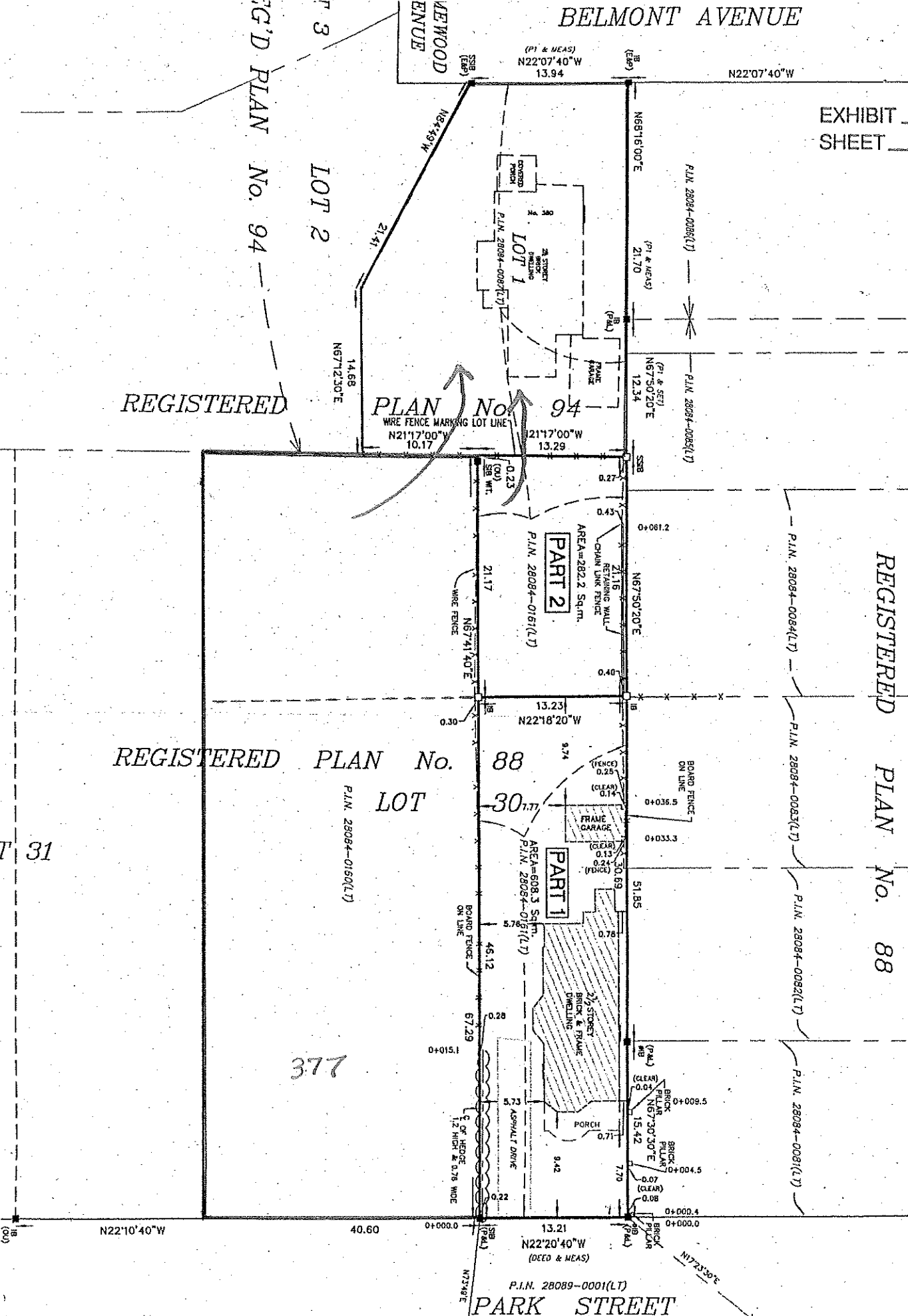
PLAN No. 94  
WIRE FENCE MARKING LOT LINE

NEWWOOD ENUE  
LOT 2

PARK STREET

T 31

377



(P1 & MEAS)  
N22°07'40"W  
13.94

N22°07'40"W

NEWWOOD ENUE

T 3

REGISTERED PLAN No. 94

LOT 2

LOT 1  
2 1/2 STOREY BRICK DWELLING

(P1 & MEAS)

PLAN 28084-0086(LT)

N65°16'00"E  
21.70

(P1 & MEAS)  
N67°50'20"E  
12.34

PLAN 28084-0084(LT)

N67°12'50"E  
14.68

21.41

WIRE FENCE MARKING LOT LINE  
N21°17'00"W  
10.17

21°17'00"W  
13.29

(P1 & MEAS)

PLAN 28084-0161(LT)  
PART 2  
AREA=282.2 Sq.m.  
CHAIN LINK FENCE  
RETAINING WALL

(P1 & MEAS)

N67°50'20"E

(P1 & MEAS)

N22°18'20"W

(P1 & MEAS)

N22°18'20"W

(P1 & MEAS)

N67°41'40"E

(P1 & MEAS)

N67°41'40"E

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N67°41'40"E

(P1 & MEAS)

N67°41'40"E

(P1 & MEAS)

N67°41'40"E

P.I.N. 28089-0001(LT)

N22°20'40"W  
(DEED & MEAS)

N22°10'40"W

40.60

0+000.0

13.21

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(P1 & MEAS)

N67°30'30"E

(P1 & MEAS)

N67°30'30"E

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N67°30'30"E

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

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.	<b>PLAN 45R-14317</b>
DATE: 6 FEBRUARY, 2008	RECEIVED AND DEPOSITED 6 FEBRUARY, 2008
	LAND REGISTRAR FOR THE LAND TITLES DIVISION OF PETERBOROUGH (06-45)

CONCESSION 12

LANSLOWNE STREET  
ROAD ALLOWANCE BETWEEN CONCESSIONS 11 AND 12  
BEARING REFERENCE LINE

SCHEDULE			
PART	DESCRIPTION	PARCEL PLAN/REG. NO.	AREA
1	PART OF LOT 8 CONCESSION 11	PART PLAN 28004-0330(L)	56.6 Sq.m.

PLAN OF SURVEY OF  
PART OF LOT 8, CONCESSION 11  
FORMERLY GEOGRAPHIC TOWNSHIP OF NORTH MONAGHAN, NOW IN  
CITY OF PETERBOROUGH  
COUNTY OF PETERBOROUGH



ELLIOTT AND PARR (PETERBOROUGH) LTD.

**SURVEYOR'S CERTIFICATE:**

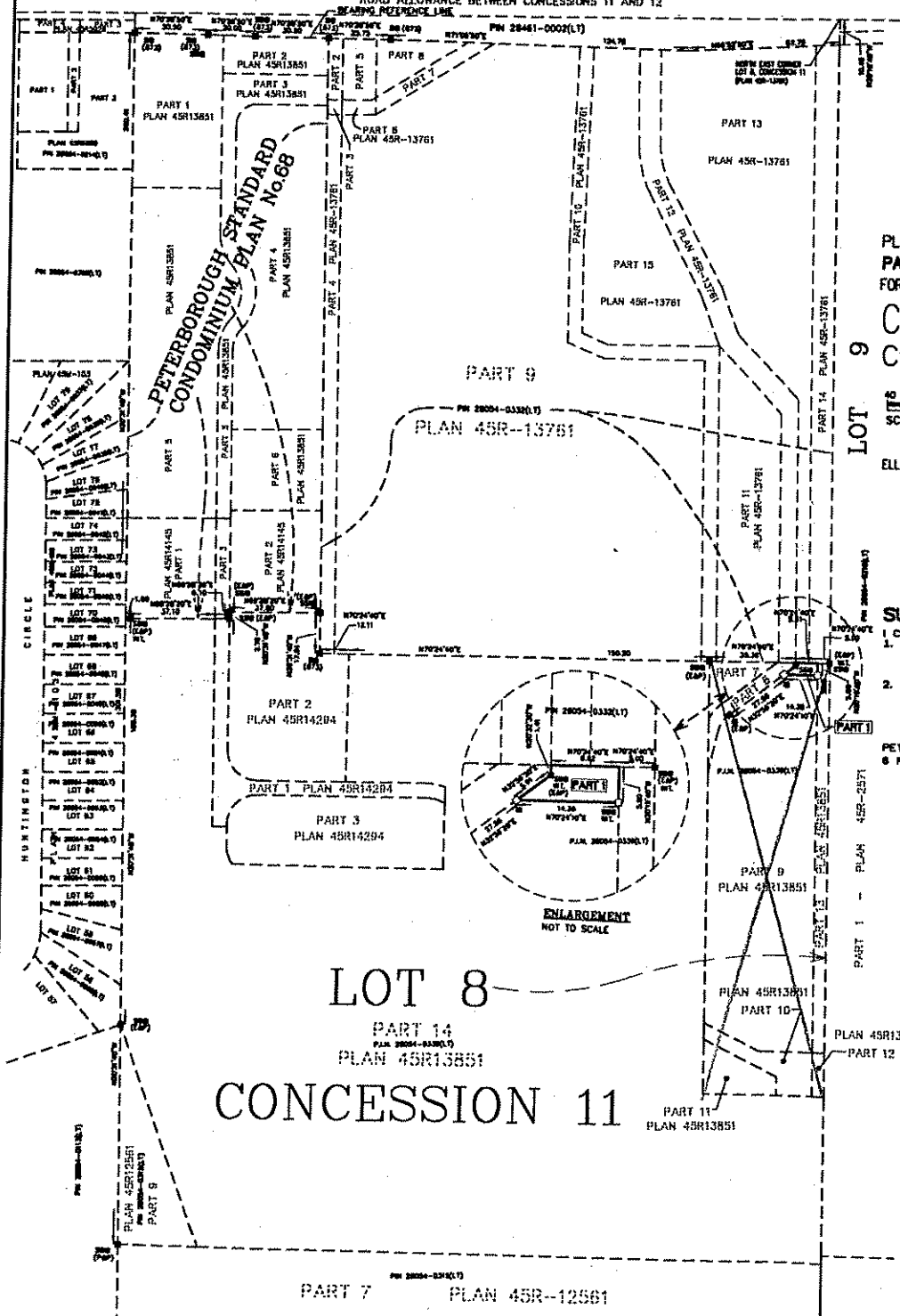
- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE LAND TITLES ACT AND THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
  - THE SURVEY WAS COMPLETED ON THE 6TH DAY OF FEBRUARY, 2008

PETERBOROUGH, ONTARIO  
6 FEBRUARY, 2008

SHAWN M. O'CONNOR  
Ontario Land Surveyor

**LEGEND AND NOTE:**

- BEARINGS ARE ASTROMERIC, DERIVED FROM THE NORTHERLY LIMIT OF PARTS 1 AND 2 PLAN 45R13851 HAVING A BEARING OF N70°28'50"E
- ELP - DENOTES ELLIOTT AND PARR, O.L.S.
  - 1712 - DENOTES S. W. ELLIOTT, O.L.S.
  - 08P - DENOTES PERCE AND PERCE, O.L.S.
  - 023 - DENOTES W.A. BENNER, O.L.S.
  - WT. - DENOTES WITNESS



LOT 8  
PART 14  
PLAN 45R13851  
CONCESSION 11

	<b>ELLIOTT AND PARR (PETERBOROUGH) LTD.</b>
	ONTARIO LAND SURVEYORS P.O. BOX 1116 211 SHERBOKE ST. PETERBOROUGH, ONTARIO K9J 7W4 (705) 745-6444
DRAWN BY: RW	JOB: 27717

LOT 74

LOT 75  
LOT 76  
LOT 73  
LOT 55  
LOT 54

N18°33'W

N18°33'W

RAVENWOOD DR

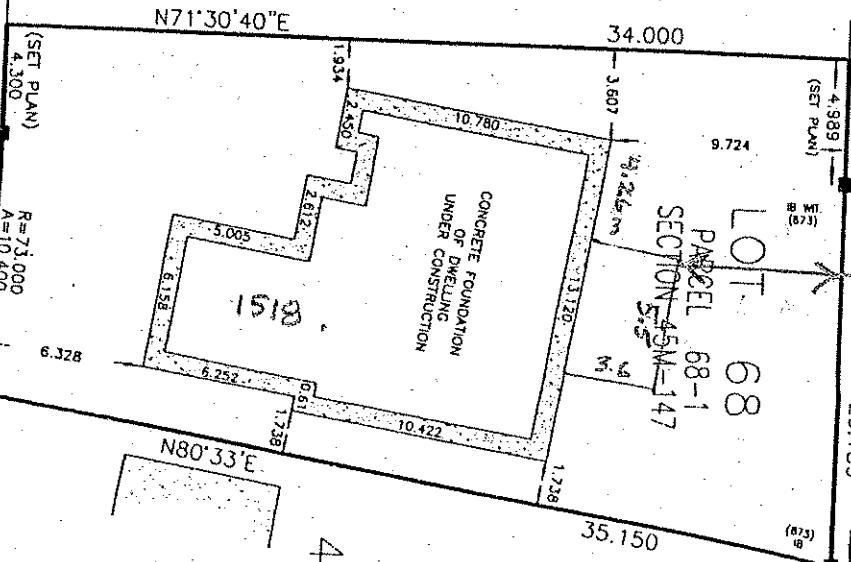
107.672

76.000

PLAN

LOT 69  
PARCEL 69-1  
SECTION 45M-147

LOT 58  
PARCEL 58-1  
SECTION 45M-147



CONCRETE FOUNDATION  
OF DWELLING  
UNDER CONSTRUCTION

LOT 68  
PARCEL 68-1  
SECTION 45M-147

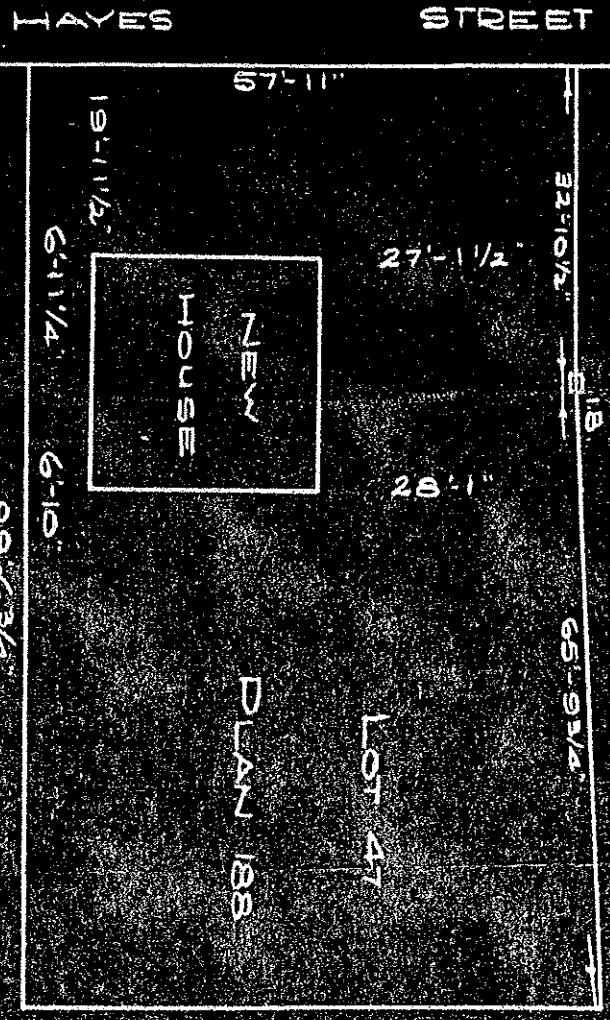
LOT 59  
PARCEL 59-1  
SECTION 45M-147

LOT 60  
PARCEL 60-1  
SECTION 45M-147

LOT 67  
PARCEL 67-1  
SECTION 45M-147

45M - 147

SKETCH OF SURVEY OF  
LOCATION OF HOUSE ON LOT 47 PLAN 188  
CITY OF PETERBOROUGH  
SCALE 1"=20'

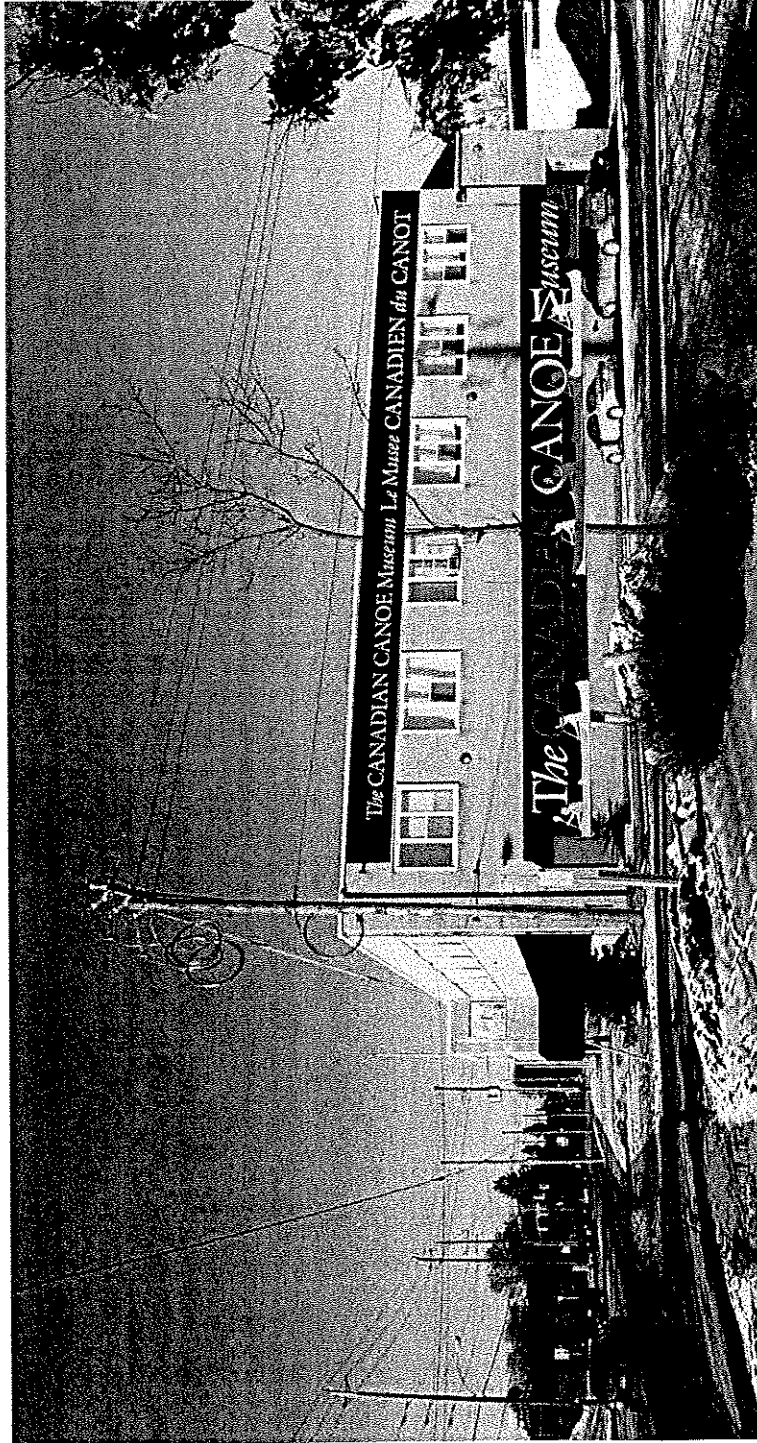


1116 Hayes St.

DONEVAN & RICHARDS  
ENGINEERS & SURVEYORS,  
OSHAWA, ONTARIO  
NOV 14 1951 JOB #

PETBORO  
188

South Facing / Looking North



Design concepts only. Not to accurate scale.

Architectural rendering



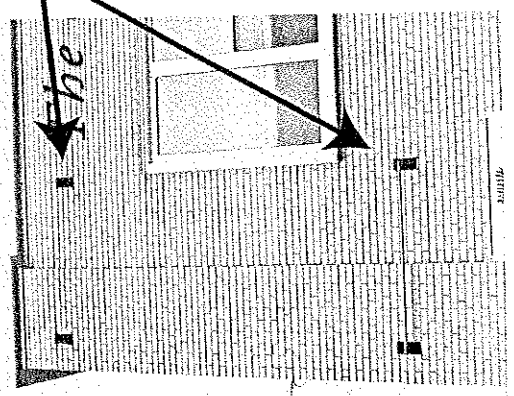
Design concepts only. Not to accurate scale.

4 x Annual Exhibit Banners, each 1.52m x 3.66m

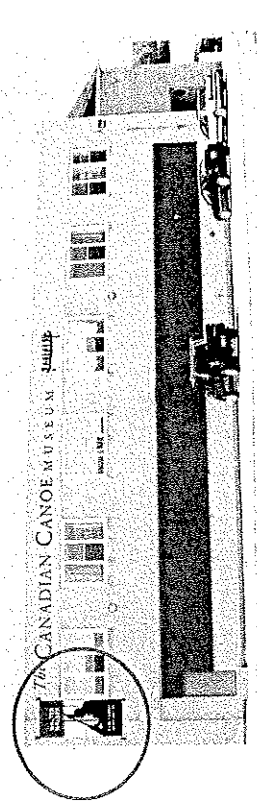
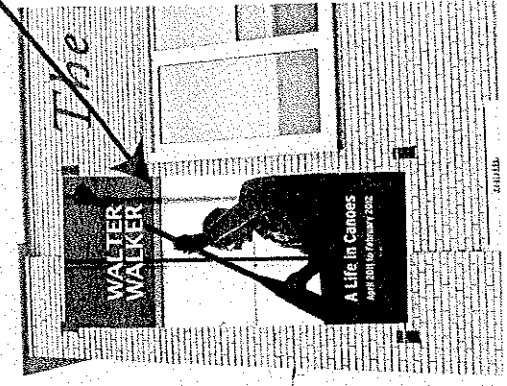


The CANADIAN CANOE MUSEUM  
Le MUSÉE CANADIEN du CANOT

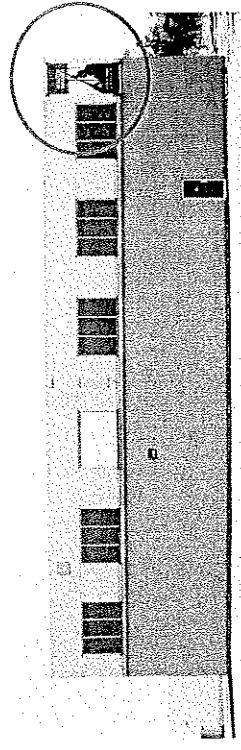
Banner brackets bolted to building facade



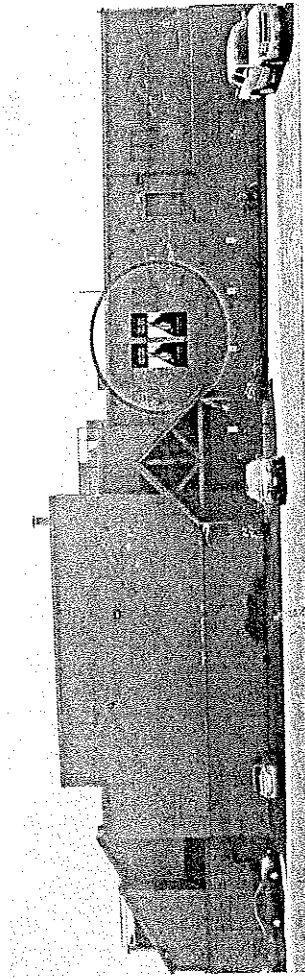
banner in place on south facade



South Facade: one banner

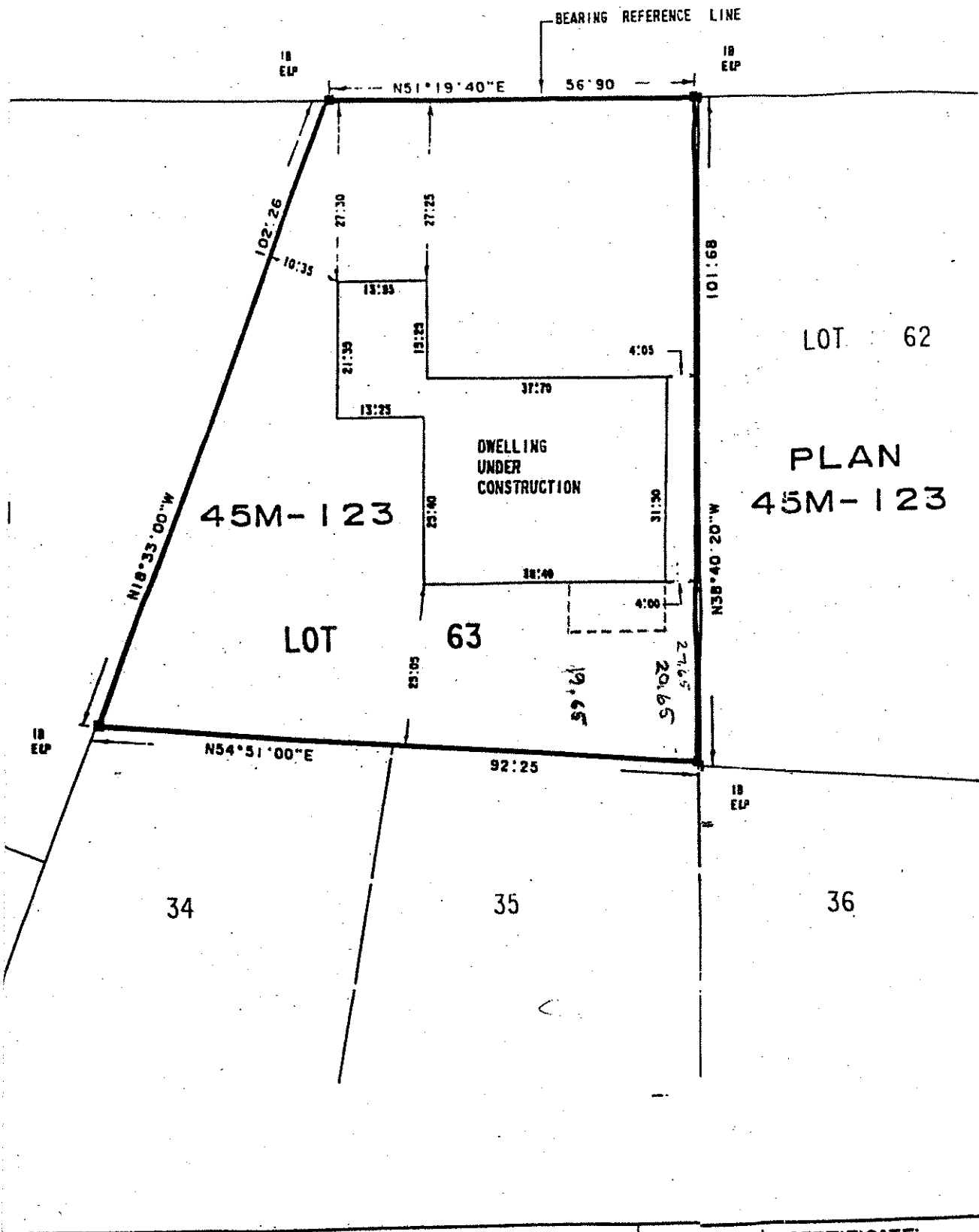


North Facade: one banner



East Facade: two banners

9



45M-123

LOT

63

DWELLING UNDER CONSTRUCTION

LOT 62

PLAN 45M-123

34

35

36

FROM 5M-123,

LEGEND:

- DENOTES SURVEY MONUMENT FOUND
- " " SURVEY MONUMENT SET
- SIB " " STANDARD IRON BAR
- IB " " IRON BAR
- CC " " CUT CROSS
- WIT " " WITNESS

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON COMPLETED ON THE 9th. DAY OF JANU.

26 JANUARY, 1990

RBBI

ROBERT B.