



Staff Comments Re: Files: A48/11, A01/12, B01/12, A02/12, A03/12, A04/12, A05/12 and B02/12

A48/11 – 1587 Ravenwood Drive - Englebertus and Maria Vissers

A variance is requested to reduce the minimum building setback from the rear lot line from 7.6 metres (24.9 ft) to 7.14 metres (23.4 ft) to recognize the location of a covered, elevated deck attached to the rear of the dwelling on the property as represented by the variance application and illustrated on the plan attached as Exhibit A.

Staff visited the property, and noted that the application does not pertain to a 2.5 metre high, covered deck as represented by the survey prepared in 2007, but a lower level, covered deck approximately 6 metres of which has been enclosed with structural walls as a part of the dwelling.



Addition to the rear of 1587 Ravenwood Drive

Staff reviewed the building permits issued and noted that the last inspection in 2006 was not passed citing the location of the deck as being too close to the rear lot line. Since 2006, a survey was prepared dated January 17, 2007 and a portion of the deck was enclosed subsequently, without a permit at all.

Staff considered the variance requested and would suggest that the variance necessary is actually to reduce the minimum setback from the rear lot line from 7.6 metres (24.9 ft) to 7.17 m (23.5 ft) a difference of 0.43 m (1.43 ft) that would include a 6 metre wide building addition. While it is difficult to consider this difference to be an error, Staff is concerned with the development that has taken place on this property that was not in accordance with the original building permit issued, with disregard for the regulations of the by-law regulations and for the building permit process.

Staff is also concerned with the Committee considering a variance application citing

dimensions based on a on a survey that is not an up-to date representation of the development of the property.

Staff is therefore recommending that the application be adjourned pending the provision of up-to date survey information verifying the accuracy of the variance being sought.

A01/12 – 1400 Crawford Drive – Roshan Holdings David Warren

The subject property is 4.57 hectare parcel of land located at the north west corner of the intersection of Crawford Drive and The Parkway. Currently the property is predominantly vacant except for a Tim Horton's restaurant on the site. To the north west of the restaurant, the owner would like to establish a hotel. Considering the proposed design of the building to include a hotel and convention centre, the owner is seeking a variance to increase the height of the hotel portion of the building from 2 storeys to 7 storeys.

The subject property is in a high profile location at the entrance to the City. The property is designated Service Commercial and has dual zoning including SP.268 Commercial and M2.2 Industrial. While the commercial zoning would permit a list of uses including the hotel that would implement the intent of the designation, the regulations of the Special District limit the height of the commercial building to 2 storeys. Typically a C.4 Commercial zoning would be applied to such a property to fulfil the intentions of the Service Commercial designation of the property. The C4 zoning would allow hotel with a building height of 4 storeys. More directly pertinent is that the regulations of the M2.2 Industrial zoning also applied to the subject property do not restrict the height of a building but regulates its height requiring a setback of the building from the side or rear lot line of 4.3 metres per storey. The same regulations apply to adjacent lands zoned for industrial purposes. It should also be noted that in 2007, the Committee granted a variance A03/07 to increase the maximum height of a hotel building to 5 storeys on the subject property and the portion of the property across the Crawford Road extension along The Parkway.

Currently the subject property is surrounded by vacant land zoned for industrial purposes, most of which is owned by the City. Staff considered the conceptual site plan for the property attached as Exhibit B and noted that the proposed setback of the building at a height of 7 storeys would be setback no less than 30 metres from any lot line.

Staff considered the potential for development of the subject property with regard to its designation, its size, the dual zoning and the intention of the zoning district to regulate the setback by way of setting the building back 4.3 metres per storey the same as the zoning on adjacent lands. Staff is of the opinion that the intention of the regulation would be maintained and the impact of a variance to allow a 7 storey commercial hotel building would be minor provided that the 7 storey portion of the building is it is no closer than 30 metres from any lot line.

Should the Committee grant the variance, staff would recommend that the variance based on the conceptual site plan provided lapse should construction of the project not begin by January 2015.

B01/12 – 135 Ridgewood Road - Kevin McDonald & Jocelyn Stone

Referring to the Plan attached as Exhibit C, the subject property is a 38 wide by 84 metre deep property that extends between Ridgewood Road and Oakwood Crescent next to Oakwood Park. The City owns a one foot reserve separating the property from Oakwood Crescent so the westerly portion of the property has been the extended back yard of the dwelling established on 135 Ridgewood Road. The property is designated for residential purposes and has split zoning on it such that the westerly 38 metres of the property with potential frontage on Oakwood Crescent could be severed from the remaining property with a residential dwelling fronting on to Ridgewood Road and severed in two creating two new building lots on Oakwood Crescent.

The City has reviewed the submission of this application with the proponent which has resulted in a request for an adjournment of hearing of this application by the proponent.

Staff would have no objection to the adjournment that would allow more information to be provided and time for the City, the applicant and Otonabee Conservation to review the information required.

A02/12 – 33 Crescent Street - Courtney Anne McGee

The owner is seeking relief from the required setback from the west side lot line to acknowledge the partial construction of a two storey addition to the rear of the building and the dormer in the attic of the building on the property. A variance is therefore requested to reduce the minimum building setback from the westerly side lot line from 1.2 metres to 0.57 metres (1.9 ft).

Staff have visited the subject property and reviewed the circumstances regarding the partial construction of the additions and found the following:

- 1) There was no survey information regarding the location of the dwelling as the basis upon which the building permit was issued.
- 2) Municipal records indicate that the previously existing, one storey addition to the rear of the building was located further from the lot line than the partially constructed addition.
- 3) The recently prepared survey, attached as Exhibit D, has revealed that the dwelling including the partially constructed addition to the rear is less than 1.2 metres (3.9 ft) from the west side lot line.
- 4) The dwelling on the adjacent property to the west is located approximately 1.2 metres from the common lot line adjacent to the building additions.

The intent of regulating the setback from a property line is to:

- 1) help ensure fire and building code regulations are maintained
- 2) ensure a minimum separation between buildings to allow movement of air
- 3) provide adequate space between buildings and property lines to allow for maintenance of buildings without trespassing on the adjacent property and
- 4) preserve the aesthetics of built form including the proportionate balance between building height massing and space between structures.

Considering the intent of the regulations in relation to the location of established building on the adjacent property, Staff cannot support the variance that would allow the dormer on the west side of the building. A permit cannot be issued for a structure with an “unprotected” window opening and staff is of the opinion that the dormer adds inappropriate height and building massing in close proximity to the building on the adjacent property.

Considering a variance to reduce the minimum building setback to 0.7 metres to allow a two storey addition to the rear of the building in line with the west wall of the existing building Staff would ask the Committee to be practical in using their discretion considering what is established.

Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described to a distance of 21.5 metres measured from the front lot line provided the west wall of the addition has no window openings.

The Committee should consider granting the variance with the proviso that the variance be null and void if the dormer on the west side of the building is not removed by January 2013.

A03/12 – 550 McDonnell Street - Bick Properties Ltd.

The subject property is zoned for a multi-unit apartment building that, with variances granted in 2001, could accommodate up to 42 units subject to the provision of parking at a rate of 1.14 parking spaces per unit and site plan approval. Further variances to the by-law are now being requested, to provide 33 parking spaces on the property to support the 42 units.

The variances requested are to:

- i) reduce the parking required to 0.78 parking spaces per apartment unit instead of the 1.75 parking spaces per unit originally required by the by-law;
- ii) reduce the minimum dimensions of a parking space from 2.7 by 5.7 metres to 2.5 metres by 5.5 metres; and
- iii) reduce the minimum aisle width of 6.4 metres to 6 metres in relation to the proposed layout of the parking area.

The applicant provided an updated copy of the site plan attached to this report as Exhibit E, illustrating the parking layout. The plan illustrates 34 parking spaces including two that are barrier free. The third barrier free space that is required does not have a dedicated, 1.5 metre wide pedestrian aisle adjacent to the space next to the loading space for which a variance was granted in 2001. This proposal would therefore involve an additional variance to reduce the required number of barrier free spaces from 3 to 2 and the variance to parking requested would be modified to 0.83 parking spaces per unit.

Staff have considered the location of the subject property which that is just beyond the central area of the city. The proximity of the property to the Central Area of the City, the parkland next door and a bicycle path that strategically leads to services and amenities located down town are all attributes to the property that reduced the automobile

dependency of residents in the building. Staff reviewed the zoning regulations regarding this property and would suggest that that these attributes were already considered by staff in supporting the following variances granted by the Committee under file A76/01 attached as Exhibit F

A variance to the dimensions of the parking spaces as 2.5 by 5.5 metres has already been granted. Considering the topographic challenges with the property in relation to the existing buildings on the property staff would not object to the Committee granting the variance to reduce the minimum width of the aisle between parking spaces to 6 metres as described provided that the owner enter into a site plan agreement for the property by June 1012 failing which the decision to allow the variance should lapse and the variance would be null and void.

Staff noted that the decision A76/01 has already granted relief to the parking requiring only 1.14 spaces per unit associated potentially 41 apartment units achieved by a variance increasing the density of development of this property. The variance was granted in 2001 subject to site plan approval that would involve development of the parking as illustrated on Exhibit G. The site plan file was open but the agreement was never entered into with the City.

Staff considered the parking required in relation to development in the vicinity of the subject property and would ask the Committee to note the following:

- The zoning of the adjacent property to the west at 544 McDonnell enjoys a reduced rate of 1.33 parking spaces required per unit.
- The second property to the west at 526 McDonnell Street enjoys a reduced rate of 0.75 parking spaces required per unit that would pertain to dwelling units that do not exceed the CMHC affordable housing rent rates.
- The Committee has granted relief (file A01/10) for onsite parking associated with the redevelopment of the facilities at the Peterborough Lawn Bowling site across the street.
- There is space on the property to accommodate the parking required to support the proposed use of the building.

Staff have considered the request for a further variance to the required parking to support the development potential of the subject property in the context of the neighbourhood and is of the opinion that the variance already granted is reasonable. Staff is concerned that a further variance based on the number of units in the building would not be minor and could contribute to the stress on parking in the neighbourhood. There is space on the property that could be developed to accommodate the parking required to support the use.

Staff is recommending that the variance requested to reduce the number of required parking spaces be denied.

A4/12 – 522 Charlotte Street - Allison Crowhurst

The owner of the property would like to establish a parking space in the front yard between the dwelling and the Charlotte Street property line. A variance is therefore requested to reduce the minimum dimensions of a parking space from 2.7 metres by 5.7 metres to 2.7 metres by 5.45 metres, and reduce the number of parking spaces required in relation to the single unit dwelling from 2 to 1.

Referring to the plan attached as Exhibit H, the parking area originally established in the rear yard accessed by a rear laneway has been fenced off to enclose a pool that occupies the rear yard. The proposal is to establish off street parking for one motor vehicle in the front yard within the 5.4 metres (18 ft) between the verandah and the street line.

Staff noted that there is a limited opportunity to accommodate on site parking space required in accordance with the by-law.

Subject to concerns raised by neighbouring property owners, staff would not object to the variances described.

A5/12 – 1161 Crawford Drive - Peterborough land Development Corporation

A new office building is under construction on the site. The location of the building was established before the finalization of the details in the design of the site plan to accommodate sufficient, onsite parking required to support the building. Referring to the Plan attached as Exhibit I, a variance is requested to reduce the minimum required width of the landscaping strip from 6 metres to 3.36 metres for a length of 27.5 metres in relation to the Crawford Drive street line.

The subject property is located on the south side of the west end of Crawford Drive where the road bends north to intersect with The Parkway. The property to the west and north is owned by the Ontario Ministry of Transportation so for a relatively short distance of 27.5 metres in relation to the width of the property, the width of landscaping between approximately 10 parking spaces and the street line along Crawford Drive would be 3 metres wide instead of 6 metres.

Staff visited the site and considered the context of development and land use in the proximity to the subject property at the bend in the roadway and is of the opinion that the impact of the variance would be minor if mitigated by attention to enhanced landscaping along the front of the property in relation to the streetscape.

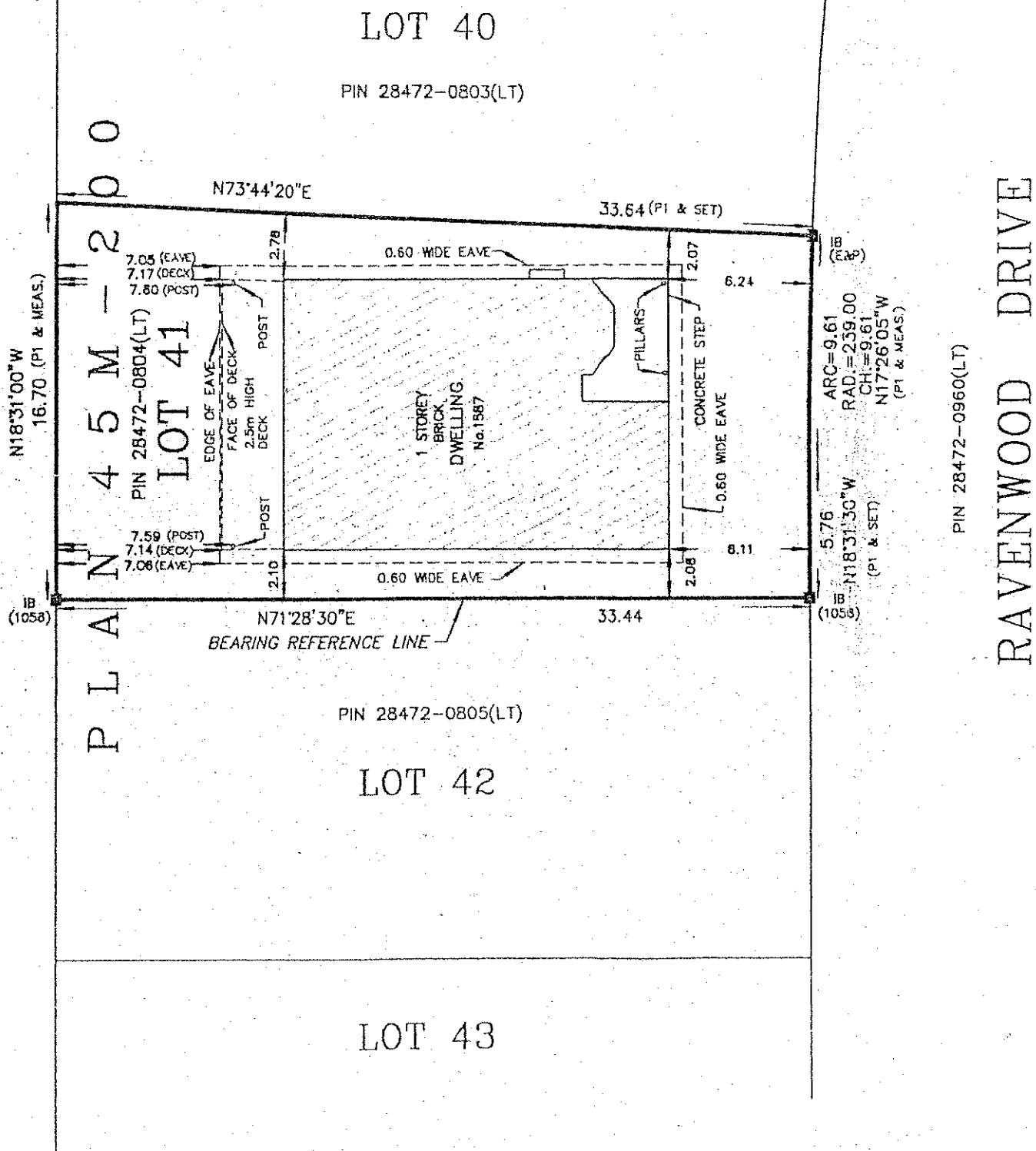
Subject to concerns raised by neighbouring property owners, Staff would not object to the Committee granting the variance as described.

B02/12 – 293 London Street & 554 Reid Street Peterborough Housing Corporation

The Committee may note that this application has been withdrawn by the proponent.

Richard Straka
Planner Policy & Research

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



NOTE:
 1. ASTRONOMIC, DERIVED FROM THE
 MIT. OF LOT 41, PLAN 45M-200,
 BEARING OF N71°28'30"E

LEGEND:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET
- SB DENOTES STANDARD IRON BAR
- B DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WIT. WITNESS
- P1 DENOTES PLAN 45M-200

SURVEYOR'S CERTIFICATE

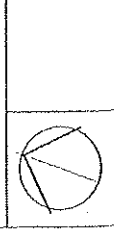
I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE MADE IN ACCORDANCE WITH THE SURVEYS ACT, THE REGULATIONS MADE UNDER THE ACT AND THE SURVEY WAS COMPLETE
2. THE SURVEY WAS COMPLETE

22 JANUARY, 2007

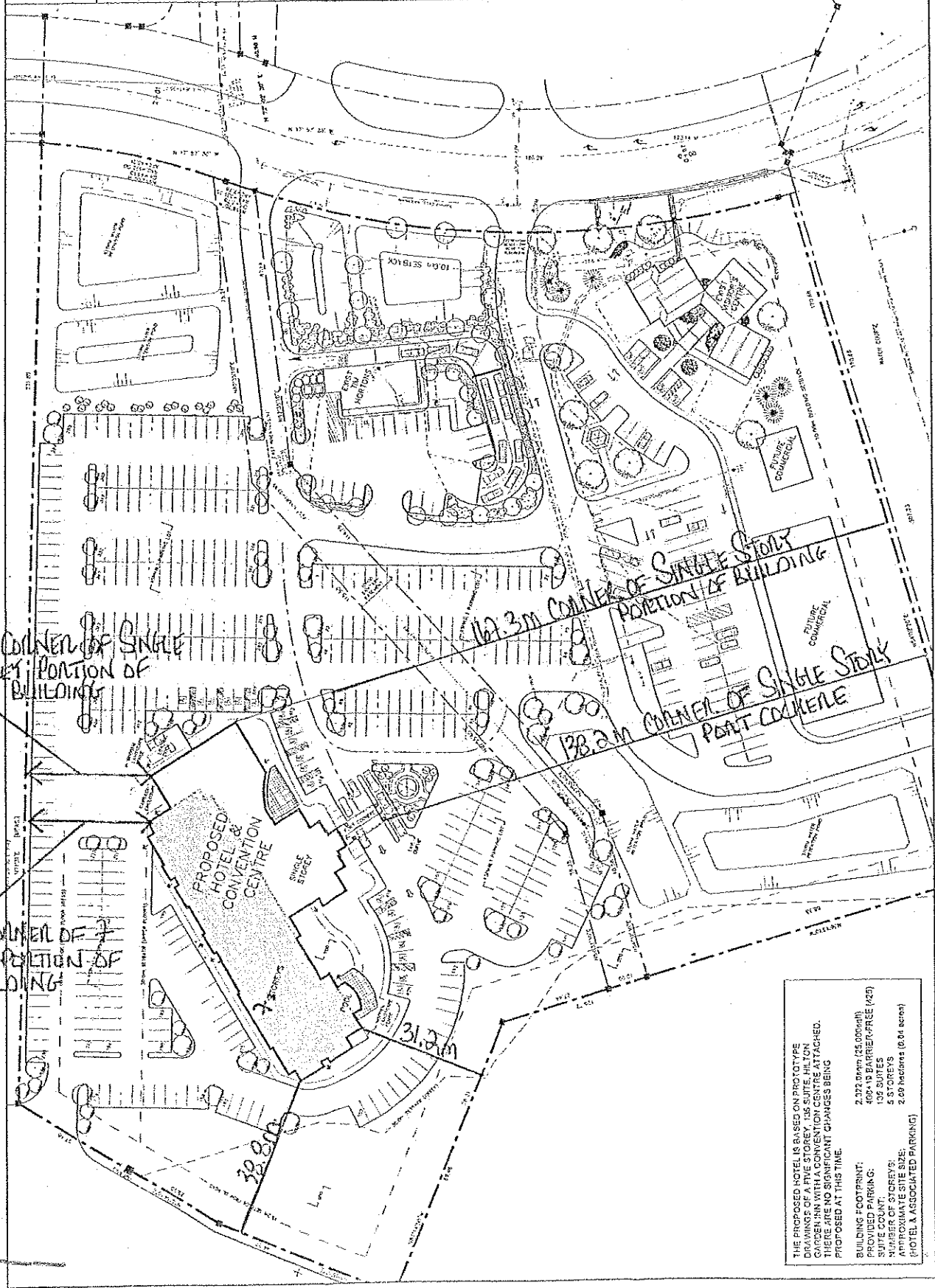
PRELIMINARY
NOT FOR CONSTRUCTION

Prepared	DATE
Checked	DATE
Approved	DATE



FASTLAN ARCHITECTS INC.
1000 Highway 101
Burlington, Ontario L7R 4K2
Tel: 905-335-1111
Fax: 905-335-1112

Resdan Holdings Ltd.
Parkway/Crawford Drive
Development
Waterloo, Ontario



THE PROPOSED HOTEL IS BASED ON PROTOTYPE DRAWINGS OF A FIVE STOREY, 145 SUITE, HILTON GARDEN INN WITH A CONVENTION CENTRE ATTACHED. THERE ARE NO SIGNIFICANT CHANGES BEING PROPOSED AT THIS TIME.

BUILDING FOOTPRINT:
TOTAL AREA: 126,000 sq.m
TOTAL GARAGE/FREE (429)
TOTAL PARKING: 106 SPACES
NUMBER OF STOREYS: 5 STOREYS
APPROXIMATE SITE SIZE: 2.68 hectares (6.64 acres)
(HOTEL & ASSOCIATED PARKING)

135 Ridgewood Severance

File B0112



Oakwood Park
05.2

Areas to be Severed

Lot #1 ≈ 0.0737
Lot #2 ≈ 0.0785

Grantor's Holdings
≈ 0.1742 Hectares

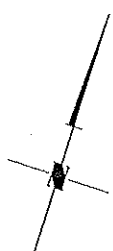
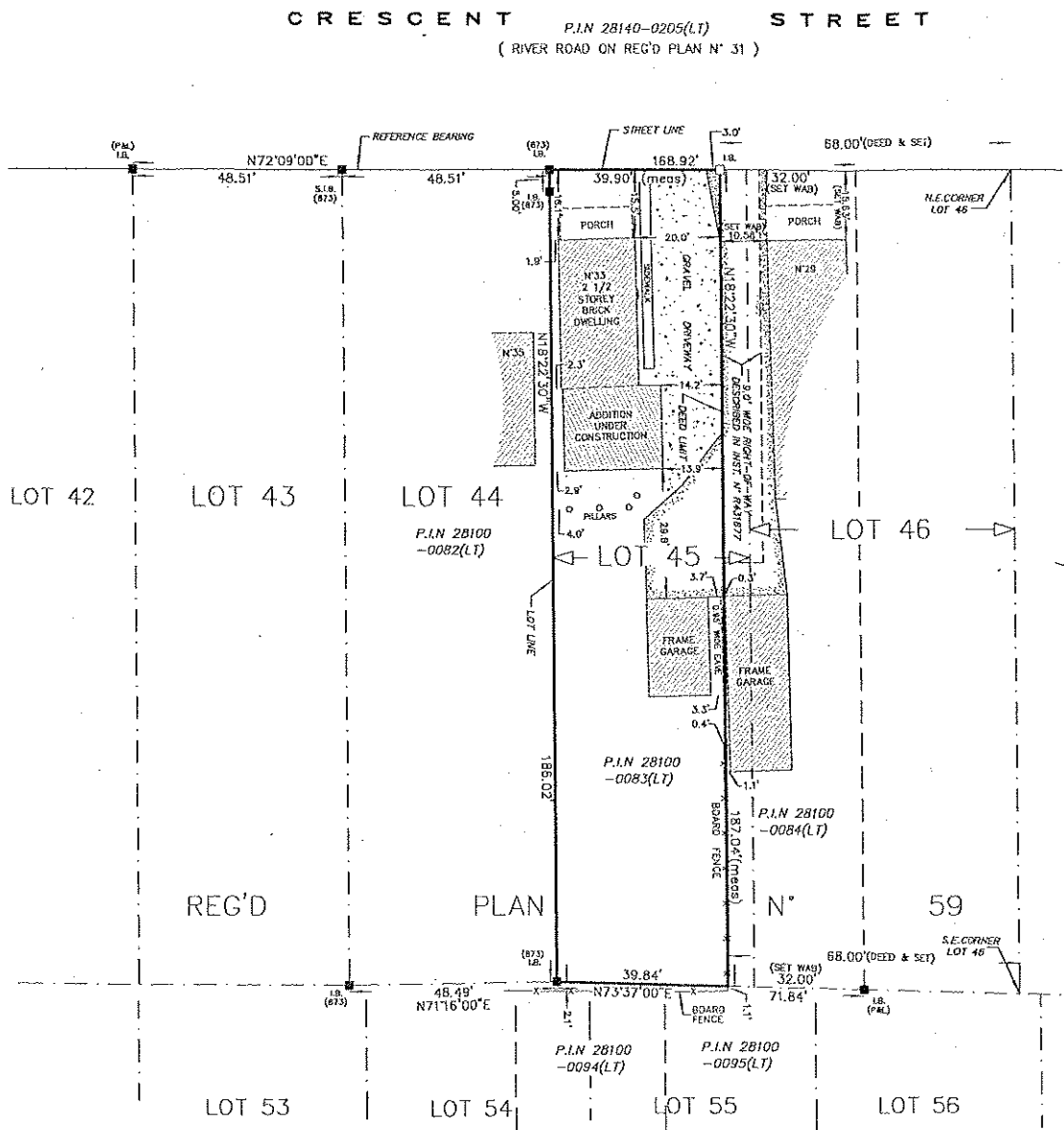
NOTE:
DISTANCES SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048.

SURVEYOR'S REAL PROPE

PLAN OF SURVEY OF
PART OF LOT 45
REGISTERED PLAN N° 5
CITY OF PETERB
COUNTY OF PETERI

SCALE - 1 INCH = 25 FEET

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2011



PART 2: REPORT SUMMARY

DESCRIPTION OF LAND:
* PART OF LOT 45, REGISTERED PLAN N° 5
REGISTERED EASEMENTS and/or RIGHTS-C
* NONE *
ENCROACHMENTS:
* ASPHALT, EAVE, FENCING *
COMPLIANCE WITH MUNICIPAL ZONING BY:
* NOT CERTIFIED BY THIS REPORT *
ADDITIONAL REMARKS:
* YES SHOWN HEREON ARE MEASURED TO I

BEARING NOTE:
BEARINGS ARE ASTROMDMIC, DERIVED FROM THE SOUTH LIMIT OF CRESCENT STREET, SHOWN ON PLAN OF SURVEY BY W.A. BENINGER O.L.S. DATED 04 AUGUST 1988 AS HAVING A BEARING OF N72°09'00"E.

LEGEND:

- DENOTES SURVEY MONUMENT FOUND
- DENOTES SURVEY MONUMENT SET, STAMPED E&P
- WAB DENOTES PLAN AND FIELD NOTES DATED 13 JUNE 1984.
- DEED DENOTES INST. N° M63415
- 873 DENOTES W.A. BENINGER O.L.S.
- P&L DENOTES PIERCE & LYONS INC.

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON DECEMBER 6th, 2011.

07 DECEMBER 2011

SHAWN M. O'CONNOR
Ontario Land Surveyor

THIS REPORT WAS PREPARED FOR COURTNEY ANNE MCGEE.

ELLIOTT & PARR
(PETERBOROUGH) ONTARIO
P.O. BOX
PETERBORO
K9J 7H4

DRAWN BY: AR

DECISION FILE A76/01

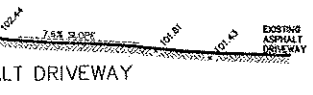
The Committee adjudicated on the application and determined that:

1. the variances are minor;
2. the proposal is desirable for the appropriate development of 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.

Variances are therefore granted to:

- 1) reduce the minimum required lot area per dwelling unit to 83.8 square metres per unit;
- ✓ 2) reduce the minimum size of a motor vehicle parking space to 2.5 metres by 5.5 metres;
- 3) reduce the minimum required number of motor vehicle parking spaces to 1.14 spaces per unit, on the condition that the property owner enter into a site plan agreement with the City that would address grading, drainage and required motor vehicle parking to the satisfaction of the Planner of Urban Design prior to receiving a building permit;
- 4) eliminate the requirement of a loading space; and
- 5) increase the maximum number of dwelling units per building to 42 on the condition the owner pay a Parks Levy in the amount of \$400.00 for each new unit of the 7 units approved by this application.

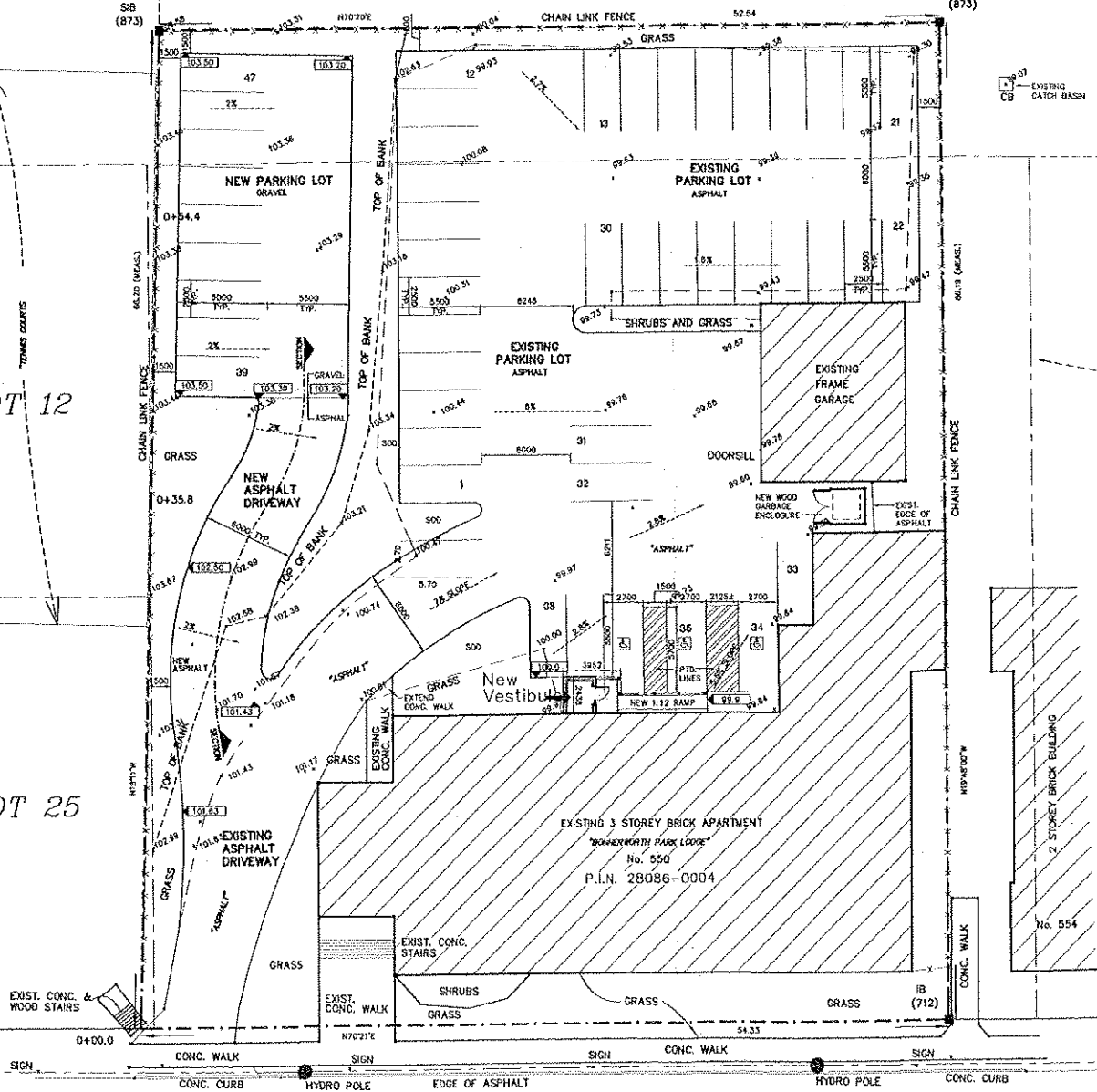
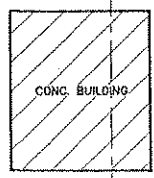
PARK LOT No. 17



CORDACH AVENUE
(CLOSED BY BY-LAW No. 4342)

LOT 12

LOT 25



McDONNELL STREET

EDGE OF ASPHALT

SCALE 1/4 INCH EQUALS 10 FEET

MEASUREMENTS ARE TAKEN TO THE STONE FOUNDATION OF DWELLING.

⊕..... DENOTES IRON BAR, FOUND.
⊙..... DENOTES IRON BAR, SET.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
THE FIELD SURVEY REPORT
WAS COMPLETED ON THE

EXHIBIT H
SHEET 1 OF 1

W.A. Behringer
W.A. BEHRINGER
ONTARIO LAND SURVEYOR
PETERBOROUGH, ONTARIO
7th AUGUST, 1984.

