



## **Committee of Adjustment Minutes**

**September 15, 2015**

Minutes of a Meeting of Committee of Adjustment held on Tuesday, September 15, 2015 at 7:00 p.m. in the Council Chambers, City Hall.

**Present:** Ms. Brenda Campbell, Chair  
Mr. Mauro DiCarlo  
Mr. Claude Dufresne  
Mr. Len Lifchus  
Mr. Frank Steffler

**Also Present:** Mr. Richard Straka, Planner, Policy and Research  
Ms. Jennifer Sawatzky, Secretary-Treasurer

Committee of Adjustment was called to order at 7:03 p.m.

### **Disclosure of Pecuniary Interest**

There were no disclosures of Pecuniary Interest.

1. **File No.:** A34/15  
**Address:** 271 Brock Street  
**Applicant:** Christopher Tworkowski

This matter relates to a minor variance application submitted by Christopher Tworkowski, 34 Bridge Street, Lakefield, Ontario K0L 2H0, as applicant on behalf of Entreco Corporation, 271 Brock Street, Peterborough, Ontario K9H 2P8, being the owner of the property that is the subject of the application.

At the July 21, 2015, Committee of Adjustment meeting, the Committee agreed to adjourn this application to this Committee of Adjustment meeting in order to permit the applicant an opportunity to revise the design of the proposed building addition.

Mr. Richard Straka informed the Committee that the Applicant submitted a letter on behalf of his client advising that he wishes to withdraw the application, appreciating that any plan for an addition will have to comply with the existing zoning regulations.

No one spoke in respect to the application.

The Committee acknowledged that the Applicant wished to withdraw the application.

2. **File No.:** A35/15  
**Address:** 1200 Lansdowne Street West  
**Applicant:** EcoVue Consulting Services Inc.

This matter relates to a minor variance application submitted by EcoVue Consulting Services Inc., 311 George Street North, Suite 200, Peterborough, Ontario K9J 3H3, as applicant on behalf of Summit Plaza Inc., 6300 avenue du Parc, Suite 708, Montreal, Quebec H2V 4H8, the owner of the property that is the subject of the application.

Kent Randall, representing EcoVue Consulting Services Inc., attended the meeting and addressed the Committee as follows:

- The owner is seeking a minor variance in order to reduce the minimum number of parking spaces required under the Zoning By-law to 737 to allow a redesign of an intersection on the property. The redesign will allow for a greater turning radius for transport trucks leaving the Canadian Tire store.
- A minor variance was granted in 2005 to reduce the minimum number of required parking spaces on the property to 743. Currently, the site is operating with 739 parking spaces. The discrepancy was discovered upon review of the site plan in preparation for this project.
- The proposed reduction would allow the owner to eliminate two existing parking spaces and widen the intersection at the four way stop adjacent to Tim Hortons and near the Canadian Tire garden centre.
- Currently, trucks making deliveries to Canadian Tire enter the property from the entrance off Clonsilla Avenue, drive along the west side of the property to the loading bays and continue into the south side of the parking lot. When the trucks turn to leave the property via Lansdowne Street, there is not adequate room to make the turn.
- The stop sign located at the intersection has been removed as it has been hit multiple times by trucks turning at the intersection.

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

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

In response to questions from the Committee, Staff advised as follows:

- The parking lot was designed with the expectation that the access/egress point to the site for transport trucks making deliveries to Canadian Tire would be Clonsilla Avenue. The design of the site plan, including the parking layout, required a reduction in number of required parking spaces, permitted by Minor Variance File No. A66/05. The Utility Services Department has expressed some concern with a further reduction in parking spaces, as off site parking is not available as an alternative. Utility Services staff are also concerned with the potential for traffic to back up onto Lansdowne Street should an accident occur on the property at the modified four way stop intersection. Staff have therefore recommended a review of the design by a professional traffic engineer at the applicant's cost.
- The City is not responsible for enforcing compliance with traffic signs posted on private property.
- The amendment to the site plan agreement would be approved by staff.

In response to questions from the Committee, the applicant advised as follows:

- He has no information on the history of traffic accidents on the property nor has he been advised of any traffic conflicts with two-way transport truck traffic accessing the loading bays behind the Canadian Tire store.
- Trucks enter and exit the property using both the entrance to Lansdowne Street and Clonsilla Avenue depending on where they are coming from. Some trucks may use Clonsilla to both enter and leave the property.

## **Decision**

The Committee reviewed the application and determined that a further reduction of two motor vehicle parking spaces from the spaces established on the property would have a minimal impact on the availability of parking. The Committee noted that cars parked in the vicinity of the intersection are at risk of being damaged from transport trucks proceeding without adequate turning radius and determined that the removal of the parking spaces may reduce damage to private property. The Committee expressed concern that a widened intersection may have an effect on the efficiency of traffic flow and determined that the design should be assessed by a professional traffic engineer and reviewed thorough a formal application to amend the Site Plan Agreement.

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 variance is granted to reduce the minimum number of required motor vehicle parking spaces on the property to 737.**

### **Conditional upon the Following:**

- i) **That the design of the intersection be reviewed and approved by a traffic engineer at the owners expense and any recommendations to the design details of the intersection, including line painting or traffic signs and island locations, be reflected in an amended site plan agreement.**
  - ii) **An amendment to the site plan agreement illustrating the modifications to the intersection and the reduced parking on the property.**
3. **File No.: A36/15**  
**Address: 647 Chester Street**  
**Applicant: Ron Freer**

This matter relates to a minor variance application submitted by Ron Freer, 637 The Queensway, Peterborough, Ontario K9J 7J6, as applicant on behalf of Elizabeth O'Toole, 647 Chester Street, Peterborough, Ontario K9J 3B8, the owner of the property that is the subject of the application.

Ron Freer attended the meeting and addressed the Committee as follows:

- The owner is seeking a minor variance in order to reduce the minimum building setback from the street line to 5.4 metres to permit the construction of a three season sunroom.
- The sunroom will extend five feet from the front of the dwelling and consist of a small sitting room with peaked roof, matching the existing roof on the dwelling.

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

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

In response to questions from the Committee, Staff advised as follows:

- The requested variance will be sufficient to permit construction of the proposed design, including the steps to the landing on the north side of the sunroom.

In response to questions from the Committee, the applicant advised as follows:

- The proposed sunroom will be approximately a foot larger than the existing stoop.
- The existing stairs will be covered, and a new, two-step staircase will be constructed on the opposite side leading to a landing with one step down to the front lawn.
- The siding below the windows will match the siding on the roof peak at the front of the house.

### **Decision**

The Committee reviewed the application and noted that a number of dwellings in the neighbourhood had projections of a similar depth, including one enclosed porch and several unenclosed verandas. The Committee determined that the impact of the variance was minor and would result in appropriate development that would be in keeping with the established standard of development of 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 variance is granted to reduce the minimum building setback from the street line to 5.4 metres to permit construction of an approximately 1.5 by 3.0 metre enclosed porch attached to the front of the dwelling PROVIDED THAT the structure is extended no closer than 5.4 metres from the street line.**

4. **File No.: A37/15**  
**Address: 338 Hywood Road**  
**Applicant: Raj and Saroj Kashyap**

This matter relates to a minor variance application submitted by Raj and Saroj Kashyap, 338 Hywood Road, Peterborough, Ontario K9K 2L3, the owners of the property that is the subject of the application.

Mr. Richard Straka informed the Committee that the Applicants have withdrawn the application appreciating the width of the curb cut to access a driveway is limited to 6 metres by the regulations of the Zoning By-law.

No one spoke in respect to the application.

The Committee acknowledged that the Applicants wish to withdraw the application.

5. **File No.: A38/15**  
**Address: 978 Lansdowne Street West**  
**Applicant: Permit World Inc.**

This matter relates to a minor variance application submitted by Permit World Inc., 12 Rock Avenue, Unit B, Kitchener, Ontario N2M 2P1, as applicant on behalf of McDonald's Restaurant of Canada, 1 McDonald's Place, Toronto, Ontario M3C 3L4, the owner of the property that is the subject of the application.

The purpose of this application is to request a variance from the regulations of the Sign By-law to reduce the minimum distance that an electronic, movable, copy sign may be established in relation to the Parkway to 27.95 metres.

Mr. Richard Straka advised that the applicant has requested that this application be adjourned to the next meeting of the Committee in order to permit the property owner more time to prepare for the meeting. Staff advised the Committee that one phone call was received regarding the application.

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

Moved by Frank Steffler

**That the application be adjourned to the next Committee of Adjustment hearing, scheduled for Wednesday, October 21, 2015, to allow the property owner more time to prepare for the hearing.**

“CARRIED”

### **Minutes**

Moved by Claude Dufresne

**That the minutes of the Committee of Adjustment hearing held on July 21, 2015 be approved.**

“CARRIED”

### **Other Business**

There were no items of other business.

### **Next Meeting**

The next meeting of the Committee of Adjustment is scheduled for Wednesday, October 21, 2015.

### **Adjournment**

The meeting was adjourned at 7:47 p.m.

(Sgd.) Brenda Campbell, Chair

(Sgd.) Jennifer Sawatzky, Secretary-Treasurer