



Committee of Adjustment Minutes

November 17, 2015

Minutes of a Meeting of Committee of Adjustment held on Tuesday, November 17, 2015 at 7:00 p.m. in the Council Chambers, City Hall.

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

Regrets: Mr. Mauro DiCarlo

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

Committee of Adjustment was called to order at 7:00 p.m.

Disclosure of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

1. **File No.:** B10/15
Address: 1600 Sherbrooke Street
Applicant: S.R. Steinsky Construction Ltd.
2. **File No.:** A43/15
Address: 1600 Sherbrooke Street
Applicant: S.R. Steinsky Construction Ltd.

This matter relates to a severance application and a minor variance application submitted by S.R. Steinsky Construction Ltd., 324 Meadowview Road, Omemee, Ontario K0L 2W0, as applicant on behalf of The Christian and Missionary Alliance Eastern and Central Canadian District, 155 Panin Road, Burlington, Ontario L7P 5A6, the owner of the property that is the subject of the application.

Stan Steinsky, representing S.R. Steinsky Construction Ltd., attended the meeting and addressed the Committee as follows:

- The applicant is requesting consent to sever a parcel of land from the southeastern corner of the property into separate ownership in order to construct a 29 unit residential apartment building. He is also applying for minor variances to the zoning regulations of the proposed parcel to be retained.
- City Council has approved applications to amend the Official Plan and the Zoning By-law for the subject property to permit the proposed use, and the Site Plan Control application has been submitted.

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.

Mr. Straka advised that considering the existing development of the retained property in relation to the proposed line of severance, approval of the severance should be conditional upon the establishment of a 1.5 metre landscaped open space strip and plant material to the satisfaction of the Planner of Urban Design along the east lot line of the retained parcel.

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 standard width of landscaped open space along a parking area is 3 metres. A minimum 1.5 metre strip has been recommended to accommodate stormwater and snow storage relative to the parking area. The zoning of the retained property does call for landscaped areas as well as a planting strip along the east limit of the property.

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

- The site plan has been modified since the application was submitted to the Committee. The apartment building envelope has not changed, but the proposed storage and garage location will be moved west of the location shown on the plan distributed to the Committee.
- The snow removal area has been moved from the northwest corner of the property to the northeast corner. If snow accumulates, it will be removed from the site.

Mr. Steinsky showed a copy of the amended Site Plan and the Landscape Plan to the Committee Members.

- The proposed building will be very similar to the apartment building he constructed at 70 Towerhill Road. At the Towerhill property, garbage is stored in a masonry enclosure with a stone cap beside a row of recycling bins. As the recycling bins are well used, the bins at the Sherbrooke property will be larger and wider. Residents at 70 Towerhill Road report that they have no complaints about odours from the garbage enclosure.
- An elevator will service all three floors of the building and seven of the suites are compliant with the Building Code standards for accessibility.
- There will be three accessible parking spaces on the property.
- Each unit will contain a storage and laundry room. Storage lockers and garages are available for rent.

Decision - B10/15

In that the parcel to be severed would conform to the regulations of the zoning district approved by City Council on September 8, 2015, consent is granted to sever the southeasterly 62 metre wide by 105 metre deep parcel of land into separate ownership, together with a 9 metre wide easement between the parcel and Odette Road to accommodate sewer and water services, CONDITIONAL UPON the following:

- i) The approval of the associated minor variances addressed by application file number A43/15; and**
- ii) An agreement to establish a 1.5 metre landscaped open space strip and plant material to the satisfaction of the Planner of Urban Design along the east lot line of the retained parcel.**

Decision – A43/15

The Committee reviewed the application and noted that variances to the regulations applied to the retained parcel are required to facilitate the severance applied for in file no. B10/15. The Committee considered the long-standing development of the property and determined that the variances are minor, appropriate and are necessary to acknowledge the circumstances on the retained parcel and allow the proposed severance to facilitate appropriate development.

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 variances are granted to:

- i) **reduce the minimum lot width of the retained parcel to 90 metres;**
- ii) **reduce the minimum setback of the existing building from the east side lot line to 22 metre, and**
- iii) **acknowledge the development of the retained property as established on the date of this decision notwithstanding the development reflected by Schedule “X” to Section 207 of the Zoning By-law.**

CONDITIONAL UPON submission to the City of the registered deed to create a new lot in accordance with the Committee’s decision on file number B10/15.

3. **File No.: A42/15**
Address: 555 Water Street
Applicant: Cameron Green

This matter relates to a minor variance application submitted by Cameron Green, 224 Hunter Street West, Peterborough, Ontario K9J 2L3, as applicant on behalf of himself and Rejean Maranda, the owners of the property that is the subject of the application.

Cameron Green attended the meeting and addressed the Committee as follows:

- He and Mr. Maranda have owned the property for five to six years. He currently resides in the property with roommates and would like to divide the dwelling into two units to allow for more efficient use of the building space.
- The neighbouring property to the north is also used as a multi-unit dwelling and the use would fit in with the surrounding area.

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 Heritage Preservation Office has no objection to the application, provided that there are no external modifications to the building.

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

- The third floor is currently used as a living room space and will become part of the second floor unit.
- Shrubby has been removed at the rear of the property to create a level area for snow storage.

Decision

The Committee reviewed the application and noted the location of the subject property on an Intensification Corridor with alternative transportation available in the form of public transit and bicycle routes. The Committee therefore determined that the variance to the minimum parking spaces per dwelling unit was minor and appropriate. The Committee acknowledged the location of the building located in proximity to buildings of historical significance and determined that the planned intensification should occur without alterations to the exterior of the building. The Committee further determined that the impact of the variances to allow the use of the building for a two unit dwelling would be 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 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 variances are granted to:

- i) **reduce the minimum lot area required per unit from 360 square metres to 180 square metres;**
- ii) **reduce the minimum required lot width per dwelling unit from 9 metres to 4.9 metres; and**
- iii) **reduce the minimum required motor vehicle parking spaces to one space to support the two units.**

Provided that:

- i) **there is no addition or modification to the exterior building envelope or the roof line;**
- ii) **any fire escape that would be required would not be permitted within the front or side yards; and**
- iii) **internal modifications to the building to create the second unit would be accomplished in accordance with the Ontario Building Code and Fire Code;**

AND CONDITIONAL UPON payment of a parks levy for the additional unit, the amount of which would be determined by the Parks Levy Review Committee.

Minutes

Moved by Claude Dufresne

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

“CARRIED”

Other Business

Ms. Campbell inquired about the timing of the doors opening to the public prior to Committee hearings.

The Secretary-Treasurer advised that doors are scheduled to open automatically at 6:30 p.m. The property manager has advised that doors are not to be unlocked until a staff member is present in the building.

Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Tuesday, December 15, 2015, subject to receipt of sufficient applications to hold a hearing.

Adjournment

The meeting was adjourned at 7:42 p.m.

(Sgd.) Brenda Campbell, Chair

(Sgd.) Jennifer Sawatzky, Secretary-Treasurer