



City of  
**Peterborough**

## **Committee of Adjustment Minutes**

**July 17, 2018**

Minutes of a Meeting of Committee of Adjustment held on Tuesday, July 17, 2018 at 6:00 p.m. in the Council Chambers, City Hall.

**Present:** Mr. Mauro DiCarlo, Vice Chair  
Mr. Claude Dufresne  
Mr. Frank Steffler

**Regrets:** Ms. Brenda Campbell  
Mr. Len Lifchus

**Also Present:** Ms. Christie Gilbertson, Planner, Policy and Research  
Ms. Jennifer Sawatzky, Secretary-Treasurer

Committee of Adjustment was called to order at 6:01 p.m.

### **Disclosure of Pecuniary Interest**

There were no disclosures of Pecuniary Interest.

- File No.:** A27/18  
**Address:** 900 Major Bennett Drive  
**Applicant:** Full Speed Builders Ltd.

This matter relates to a minor variance application submitted by Full Speed Builders Ltd., 16788 Highway 7, RR #6 Perth, ON K7H 3C8, as applicant on behalf of 1827572 Ontario Ltd., 10-550 Lansdowne Street West, Peterborough, Ontario K9J 8J8, the owner of the property that is the subject of the application.

The purpose of the application is to reduce the minimum building setback from a rear lot line abutting a non-residential zoning district from 15 metres to 6.1 metres, to permit a 743 square metre expansion of the existing facility.

Mark Atkinson, Principal of Full Speed Builders Ltd., attended the meeting and addressed the Committee as follows:

- The owner of the property requires a minor variance to reduce the rear yard setback to permit an 8000 square foot addition to the building.
- A stormwater drainage course is located in the rear of the property, restricting the location of any expansion to the building.
- The owner considered a purchase of land to the north of the property to allow more room for expansion, but the land was sold and is currently being developed.

Ms. Gilbertson, Planner, Policy and Research, advised that Staff have nothing further to add to the information presented in the Application and Staff Report.

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

## Decision

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented in the Staff Report, the Committee determined that the application should be approved as per the Staff Recommendation and that the variance is minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore a variance is granted to reduce the minimum building setback from a rear lot line abutting a non-residential zoning district to 6.1 metres for a 743 square metre (8,000 square foot) building expansion.**

2.     **File No.:**     **A28/18**  
       **Address:**    **741 Lock Street**  
       **Applicants:** **Ken and Patricia Adams**

This matter relates to a minor variance application submitted by Ken and Patricia Adams, 741 Lock Street, Peterborough, Ontario K9J 2Z3, the owners of the property that is the subject of the application.

The purpose of the application is to reduce the minimum building setback from the streetline of Lock Street from 6 metres to 3.6 metres for a covered and partially enclosed front porch across the front of the house.

Mr. and Mrs. Adams attended the meeting and addressed the Committee as follows:

- They are requesting the variance to the setback from the streetline to allow them to build a sunroom and porch at the front of the dwelling.

Ms. Christie Gilbertson, Planner, Policy and Research, presented Staff comments with respect to the application on behalf of the Building and Planning Divisions of the Infrastructure and Planning Services Department, City of Peterborough.

- Ms. Gilbertson advised that the applicants have submitted construction drawings to supplement the materials initially circulated with the application. The drawings have been provided to the Committee for their review.
- Ms. Gilbertson noted that she is recommending an additional condition to what is proposed in the Staff Report published on July 13, 2018, as follows:  
“That the applicants provide the Building Division with a scaled drawing depicting all existing and proposed structures and setbacks on the property, including the rear covered patio and shed, to demonstrate compliance with the Zoning By-law with respect to the lot coverage provisions.”

The Vice-Chair read a letter in opposition to the application into the record from Gus Dekking, 756 Lock Street, Peterborough, Ontario K9J 2Z4.

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

- He does not object to the requirement to re-establish landscaping at the front of the dwelling and has already begun to complete this work. He has also brought the height of the garden in the boulevard down to less than four feet, so that the garden does not obstruct the view from the driveway.
- In response to the comments from Peterborough Distribution Inc. (PDI), the service stack was checked by an electrician who confirmed with PDI that it would not need to be relocated to accommodate the proposed porch.
- There is not a second unit in the dwelling.
- He is aware of and understands the additional condition that Staff outlined at tonight’s meeting.

## Decision

The Committee heard from members of the public concerning the application and gave due consideration and weight to the comments made and received.

Having reviewed the application and considered the information presented both in the Staff Report and presentation, the Committee determined that the application should be approved as per the Staff Recommendation, as revised, and that the variance is minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore a variance is granted to reduce the minimum building setback from the streetline of Lock Street to 3.6 metres for a covered and partially enclosed porch across the front of the house, with the enclosed portion measuring no greater than 3.16 metres, PROVIDED THAT any alterations to existing lot grading patterns or drainage will not adversely impact adjoining properties and CONDITIONAL UPON the following:**

- i) **That the applicants re-establish the landscaping in the location of the motor vehicle parking space established in front of the dwelling and encroaching on City property; and**
- ii) **That the applicants provide the Building Division with a scaled drawing depicting all existing and proposed structures and setbacks on the property, including the rear covered patio and shed, to demonstrate compliance with the Zoning By-law with respect to the lot coverage provisions.**

3. **File No.: A29/18**  
**Address: 1224 Summit Drive**  
**Applicant: Lifestyle Sunrooms Inc.**

This matter relates to a minor variance application submitted by Lifestyle Sunrooms Inc., 944 Crawford Drive, Peterborough, Ontario K9J 3X2, as applicant on behalf of Douglas Finbow and Deirdre Thomas, 1224 Summit Drive, Peterborough, Ontario K9J 8A7, the owners of the property that is the subject of the application.

The purpose of the application is to reduce the minimum building setback from the intersection of two side lot lines from 4.5 metres to 2.56 metres for a sunroom addition.

Christine Patterson of Lifestyle Sunrooms Inc. attended the meeting and addressed the Committee as follows:

- The owners of the property require a minor variance to construct a one storey unheated sunroom with associated landing and stairs.

Ms. Christie Gilbertson, Planner, Policy and Research, presented Staff comments with respect to the application on behalf of the Building and Planning Divisions of the Infrastructure and Planning Services Department, City of Peterborough.

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

## Decision

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented both in the Staff Report and presentation, the Committee determined that the application should be approved as per the Staff Recommendation and that the variance is minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore a variance is granted to reduce the minimum building setback from the intersection of two side lot lines to 2.56 metres for a 13.56 square metre sunroom addition PROVIDED THAT any alterations to existing lot grading patterns or drainage will not adversely impact adjoining properties.**

4.     **File No.:**     **A30/18**  
          **Address:**    **706 Park Street South**  
          **Applicant:** **Mark McLean, Kidd Bros. Construction Ltd.**

This matter relates to a minor variance application submitted by Mark McLean, Kidd Bros. Construction Ltd., 530 Lindsay Road, Peterborough, ON K9J 6X3, as applicant on behalf of George MacDougall, 706 Park Street South, Peterborough, ON K9J 3T1, the owner of the property that is the subject of the application.

The purpose of the application is to reduce the minimum building setback from the east side lot line from 1.2 metres to 0.74 metres setback to replace and expand the existing attached garage.

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

- The property owner has hired Kid Bros. Construction to rebuild the existing garage on the property, which is in bad repair.
- The owner would like to add additional storage space, extending the depth of the garage by approximately 8 feet.
- The garage will be no closer to the lot line than what is currently established but will extend further into the rear yard.

Ms. Gilbertson, Planner, Policy and Research, advised that Staff have nothing further to add to the information presented in the Application and Staff Report.

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

#### **Decision**

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented in the Staff Report, the Committee determined that the application should be approved as per the Staff Recommendation and that the variance is minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore a variance is granted to reduce the minimum building setback from the east side lot line to 0.74 metres for a 5.61 metre by 9.14 metre garage PROVIDED THAT any alterations to existing lot grading patterns or drainage will not adversely impact adjoining properties.**

5.     **File No.:**     **A31/18**  
          **Address:**    **500 O'Connell Road**  
          **Applicant:** **Joanna Smeeth, Alair Homes**

This matter relates to a minor variance application submitted by Joanna Smeeth, Alair Homes, 459 George Street North, Peterborough, Ontario K9H 3R6, as applicant on behalf of Steve Williams, Pamela Lynch, Warren Lynch and Barbara Lynch, 500 O'Connell Road, Peterborough, Ontario K9J 4C9, the owners of the property that is the subject of the application.

The purpose of the application is to reduce the minimum building setback from the St. Catherine's Street streetline from 6 metres to 4.21 metres, recognizing the existing location of the dwelling, and to reduce the minimum building setback from the O'Connell Street streetline from 6 metres to 5.39 metres to permit an expansion of the existing single dwelling unit by adding a second storey as well as extending the footprint of the dwelling towards O'Connell Road.

Ms. Smeeth attended the meeting and addressed the Committee as follows:

- The property owners are proposing an addition to the home that would increase the height by a half storey and increase the footprint towards O'Connell Road.
- To achieve the proposal the variance to the setback from the O'Connell Road streetline is required to allow the dwelling to extend a further 0.6 metres towards the streetline
- The variance to the setback from the St. Catherine's Street streetline is required to recognize the existing setback. The dwelling will not extend further into the setback that what is currently established.

Ms. Christie Gilbertson, Planner, Policy and Research, presented Staff comments with respect to the application on behalf of the Building and Planning Divisions of the Infrastructure and Planning 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 reduction to the minimum building setback from the St. Catherine's Street streetline is required to address the proposed increase footprint within the currently deficient setback.

## **Decision**

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented both in the Staff Report and presentation, the Committee determined that the application should be approved as per the Staff Recommendation and that the variances are minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore the following variances are granted to permit the expansion of the existing single dwelling unit as generally depicted in the plan prepared by Maryanne Noffke Design & Drafting, dated July 10, 2018:**

- a) A reduction to the minimum building setback from the St. Catherine's Street streetline to 4.21 metres, recognizing the existing location of the dwelling; and**
- b) A reduction the minimum building setback from the O'Connell Street streetline to 5.39 metres.**

**CONDITIONAL UPON the submission of a lot grading plan in conjunction with the Building Permit application.**

As the applicant for agenda item f), file no. B10/18 was not in attendance, the Committee agreed to move the item to the end of the agenda to allow additional time for the applicant to arrive.

6. **File No.:** A32/18  
**Address:** 1901 Fisher Drive  
**Applicant:** Greer Galloway Consulting Engineers

This matter relates to a minor variance application submitted by Greer Galloway Consulting Engineers, 973 Crawford Drive, Peterborough, Ontario K9J 3X1, as applicant on behalf of Ardmor Holdings Ltd., 1189 Lansdowne Street West, Peterborough, ON K9J 7M2, the owner of the property that is the subject of the application.

The application proposes to reduce the minimum building setback from a side lot line abutting a non-residential zoning district from 8.6 metres to 6 metres for a proposed addition to the existing building and to 2 metres for the elevated support structure for new mechanical equipment.

Raja Chockalingam of Greer Galloway Consulting Engineers attended the meeting and addressed the Committee as follows:

- Variances for the existing building and mechanical unit support structures were granted in 2014.
- The proposed addition will be in line with the existing setback and will extend the length of the building with an approximately 600 square metre addition.
- The site plan application and stormwater management plan have been submitted to the City and are currently under review.

Ms. Gilbertson, Planner, Policy and Research, advised that Staff have nothing further to add to the information presented in the Application and Staff Report.

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

### **Decision**

The Committee received no comment or presentation from members of the public concerning the application and thus made its decision on the basis of the Staff Report and the application.

Having reviewed the application and considered the information presented in the Staff Report, the Committee determined that the application should be approved as per the Staff Recommendation and that the variances are minor, the proposal is desirable for the appropriate development or use of the land, and the general intent and purpose of the Zoning By-law and Official Plan are maintained.

**Therefore the following variances are granted for a 580 square metre building expansion and the associated equipment support structure:**

- a) **Reduce the minimum building setback from a side lot line abutting a non-residential zoning district to 6 metres for an addition to the existing building; and**
- b) **Reduce the minimum building setback from a side lot line abutting a non-residential zoning district from to 2 metres for an elevated support structure for new mechanical equipment.**

**PROVIDED THAT any alterations to existing lot grading patterns or drainage will not adversely impact adjoining properties.**

7. **File No.:** B10/18  
**Address:** 790 Donegal Street  
**Applicant:** Linda Vittorini

This matter relates to a severance application submitted by Linda Vittorini, 3657 Cochrane Street, Whitby, Ontario L1R 2T2, as applicant on behalf of herself and Tito Vittorini, of same address, the owners of the property that is the subject of the application.

The application proposes to sever the southerly 17 metres of the property to create a new lot for residential development, fronting onto Donegal Street.

The applicant was not in attendance and the Committee did not debate or discuss the application.

Moved by Claude Dufresne:

**That the application be deferred to the August 21, 2018 meeting of the Committee of Adjustment of so that the applicant can be present to represent the application.**

“CARRIED”

### **Minutes**

There was not a quorum of the members in attendance at the June 19, 2018 hearing. As such the minutes will be confirmed at the next meeting of the Committee of Adjustment.

### **Other Business**

There were no items of other business.

### **Next Meeting**

The next meeting of the Committee of Adjustment is scheduled for Tuesday, August 21, 2018.

### **Adjournment**

The meeting was adjourned at 6:38 p.m.

(Sgd.) Mauro DiCarlo, Vice Chair

(Sgd.) Jennifer Sawatzky, Secretary-Treasurer