



City of
Peterborough

Committee of Adjustment Minutes

February 5, 2019

Minutes of a Meeting of Committee of Adjustment held on Tuesday, February 5, 2019 at 6:00 p.m. in the Council Chambers, City Hall.

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

Also Present: Ms. Christie Gilbertson, Planner, Policy and Research
Ms. Andrea Stillman, Permit Technician, Plans Examiner
Ms. Jennifer Sawatzky, Secretary-Treasurer

Committee of Adjustment was called to order at 6:00 p.m.

Disclosure of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

- File No.:** A03/19
Address: 660 The Kingsway
Applicant: Ali Seddiqi

This matter relates to a minor variance application submitted by Ali Seddiqi, 660 The Kingsway, Peterborough, Ontario K9J 7C8, as applicant on behalf of Kidz Playland and Indoor Playground Inc., 660 The Kingsway, Peterborough, Ontario K9J 7C8, the owner of the property that is the subject of the application.

The purpose of the application is to reduce the minimum number of required parking spaces from 1 per 9 metres of assembly area to 1 per 24 metres of assembly area and reduce the minimum required width of landscaped open space along a side lot line from 1.5 metres to 0.8 metres for a parking area expansion at the southwest corner to permit the use of one of the two units as an indoor children's' play space.

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

- He would like to open a indoor children's playground in one of the units and requires the variances to the by-law to allow the use.

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 Planning & Development Services Department, City of Peterborough.

Ms. Gilbertson advised that Otonabee Region Conservation Authority (ORCA) submitted formal comments following the publication of the Staff Report. ORCA advised that they have no objection to the variance, but noted that development had occurred within ORCA's regulated area without a permit. Ms. Gilbertson noted that the paving work that created a compliance issue with ORCA also brought the property out of compliance with the landscaped open space requirements of the Zoning By-law. This has been communicated to the applicant and Staff are recommending that a Development Agreement to address stormwater management and the reinstatement of the required landscaped open space be a condition of the application's approval.

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 comments from the Manager of Transportation stating that he may need to secure agreements for overflow parking with neighbouring property owners were communicated with the applicant. Mr. Seddqi indicated that he has approached property owners in the area regarding overflow parking but he does not anticipate that they will require it.

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

- He has read the Staff Report and understands the recommended conditions. He has already talked to the company that did the paving and they will be able to reinstate the required landscaped open space as soon as weather permits.
- He spoke with neighbouring property owners and they have agreed to the use of their parking lots on the weekends during peak hours for the playground. The neighbouring businesses are closed on the weekends and have no objection to the use of their lots.

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 variances are granted as follows:

- a) A reduction to the minimum number of required parking spaces to 1 space per 24 metres of assembly area; and**
- b) A reduction to the minimum required width of landscaped open space along a side lot line to 0.8 metres to permit an expansion to the parking area along three parking spaces at the southwest corner of the property.**

CONDITIONAL UPON the owner entering into a Development Agreement with the City agreeing to the reinstatement of the 1.5 metre or greater landscaped strip, subject to the above variance, submission of a stormwater management plan, if deemed to be required by the Urban Design & Engineering Technologist and the Otonabee Region Conservation Authority, and that financial security be obtained in the event that the landscaping and stormwater management is not remedied in the time outlined in the Agreement and PROVIDED THAT issues related to parking shall be resolved solely by the applicant on an ongoing basis satisfactory to the City.

2. **File No.: B01/19**
Address: 71 Crescent Street
Applicant: S. R. Steinsky Construction Ltd.

File No.: B02/19
Address: 81 Crescent Street
Applicant: S. R. Steinsky Construction Ltd.

This matter relates to two severance applications submitted by S. R. Steinsky Construction Ltd., 324 Meadowview Road, Omemee, Ontario K0L 2W0, as applicant on behalf of Sue Connelly King, 1895 Young's Point Road, Lakefield, Ontario K0L 2H0, the owner of 71 Crescent Street and Lance King and Sue Connelly King, 1895 Young's Point Road, Lakefield, Ontario K0L 2H0, the owners of 81 Crescent Street.

The purpose of the applications is to sever both 71 Crescent Street and 81 Crescent Street into two 9.3 metre wide lots, for a total of four lots, to permit separate ownership of each side of two proposed semi-detached structures, in place of the existing structures.

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

- He is proposing to redevelop each of the two properties with semi-detached houses. The properties are zoned R.2, which permits the construction of two units per lot and the severance of each property into two separately conveyable lots.

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

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

Decision – B01/19

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.

In that the severed and retained parcels conform to the Official Plan policy and the Zoning By-law, consent is granted to sever the westerly 9.3 metres of the subject property to facilitate separate ownership of each portion of a semi-detached dwelling, CONDITIONAL UPON THE FOLLOWING:

- i) **Approval of Minor Variance Application A04/19;**
- ii) **Prior to registering the Reference Plan at the applicant's cost, the applicant shall submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the line of severance along the surveyed party wall of the semi-detached structure's foundation. Upon registration of the approved Reference Plan, two copies of the registered reference plan will be provided to the Secretary-Treasurer.**
- iii) **A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG NAD83 UTM CSRS CGVD28 projection Windows-readable format to the satisfaction of the City of Peterborough Geomatics/Mapping Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;**
- iv) **If deemed applicable by the Parks Levy Review Committee, payment of cash in lieu of parkland associated with the creation of a new lot;**
- v) **That the applicant provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and**
- vi) **This Consent will lapse if the above conditions are not satisfied within 365 days of the circulation of the Committee's decision.**

Decision – B02/19

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.

In that the severed and retained parcels conform to the Official Plan policy and the Zoning By-law, consent is granted to sever the westerly 9.3 metres of the subject property to facilitate separate ownership of each portion of a semi-detached dwelling, CONDITIONAL UPON THE FOLLOWING:

- i) **Approval of Minor Variance Application A05/19;**
 - ii) **Prior to registering the Reference Plan at the applicant's cost, the applicant shall submit for approval a draft Reference Plan to the Secretary-Treasurer, showing the line of severance along the surveyed party wall of the semi-detached structure's foundation. Upon registration of the approved Reference Plan, two copies of the registered reference plan will be provided to the Secretary-Treasurer.**
 - iii) **A closed polygon vector file of the Part boundaries shown on the Reference Plan is to be provided in Autodesk DWG NAD83 UTM CSRS CGVD28 projection Windows-readable format to the satisfaction of the City of Peterborough Geomatics/Mapping Division. It is recommended that the applicant's Ontario Land Surveyor consult with the City of Peterborough Geomatics/Mapping Division to confirm acceptable standards and formatting. The Surveyor should contact the Secretary-Treasurer for instructions on how to submit this document;**
 - iv) **If deemed applicable by the Parks Levy Review Committee, payment of cash in lieu of parkland associated with the creation of a new lot;**
 - v) **That the applicant provide the Secretary-Treasurer with a draft of the Transfer/Deed of Land; and**
 - vi) **This Consent will lapse if the above conditions are not satisfied within 365 days of the circulation of the Committee's decision**
3. **File No.: A04/19**
Address: 71 Crescent Street
Applicant: S. R. Steinsky Construction Ltd.
- File No.: A05/19**
Address: 81 Crescent Street
Applicant: S. R. Steinsky Construction Ltd.

This matter relates to two minor variance applications submitted by S. R. Steinsky Construction Ltd., 324 Meadowview Road, Omemee, Ontario K0L 2W0, as applicant on behalf of Sue Connelly King, 1895 Young's Point Road, Lakefield, Ontario K0L 2H0, the owner of 71 Crescent Street and Lance King and Sue Connelly King, 1895 Young's Point Road, Lakefield, Ontario K0L 2H0, the owners of 81 Crescent Street.

The purpose of both applications is to increase the maximum number of storeys from two to three to allow the construction of a proposed semi-detached building on each property.

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

- Both properties are zoned R.2. He is requesting a variance to increase the permitted height to allow for a third storey. All other aspects of the proposed development comply with the zoning district.

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 Planning & Development Services Department, City of Peterborough.

The following persons attended the meeting and addressed the Committee in opposition to this application:

- i) Bob Williams, 67 Crescent Street, Peterborough, Ontario K9J 2G2, spoke in objection to the applications. Mr. Williams advised that he and his wife own property at 63, 67 and 69 Crescent Street and expressed concern related to the increased height impacting the privacy and sunlight in the rear yards of their properties.
- ii) Mary LeFave, 85 Crescent Street, Peterborough, Ontario K9J 2G2, spoke in opposition to the applications and expressed concerns related to the increase in height and the proximity of proposed dwelling on 81 Crescent Street to the lot line.

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

- The living area of the proposed dwellings is elevated to the second floor and oriented towards the lake so that the residents can enjoy a view over Little Lake rather than the back yard. The living area cannot be incorporated into the ground floor because the garage would block the view.
- A below grade garage was not considered due to stormwater management concerns. Water needs to drain away from the building, and locating the garage below grade would cause engineering issues.
- Through consultation with City staff on the proposed site plan, it was determined that rear yard parking would not work for this development. He stated that establishing rear yard parking would likely have a greater impact on neighbouring property owners' enjoyment of their rear yards, would require the removal of a house on Ware Street and would increase the total paved area. If parking was to be established in the rear, he would require an additional minor variance to increase the parking coverage.

Decision – A04/19

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 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 increase the maximum number of storeys to three to allow the construction of a new semi-detached building CONDITIONAL UPON the applicant entering into a Site Plan Agreement to address sanitary servicing, stormwater management, driveway material and landscaping (low impact development interventions), sidewalk reconstruction and selection of building and garage materials to the satisfaction of the Planner, Urban Design.

Decision – A05/19

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 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 increase the maximum number of storeys to three to allow the construction of a new semi-detached building CONDITIONAL UPON the applicant entering into a Site Plan Agreement to address sanitary servicing, stormwater management, driveway material and landscaping (low impact development interventions), sidewalk reconstruction and selection of building and garage materials to the satisfaction of the Planner, Urban Design.

4. **File No.: A06/19**
 Address: 435 Raymond Street
 Applicant: Raymond Debutte

This matter relates to a minor variance application submitted by Raymond Debutte, 435 Raymond Street, Peterborough, Ontario K9H 7P3, 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 centreline of The Parkway from 45 metres to 34 metres to install an in-ground swimming pool and shed.

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

- He is installing a swimming pool in the backyard and relocating an existing shed to house the pumping equipment. He requires the minor variance to permit the shed and pool to be in the proposed location.

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

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

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

- The Staff Report indicates that the variance is only required for the shed and not the pool.
- The shed is currently established elsewhere on the property and will be located farther away from the Parkway corridor than its current location.

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 Parkway corridor to 34 metres to allow the installation of a pool and placement of a shed, as generally depicted on Schedule D of the Staff Report dated February 5, 2019.

5. **File No.:** A07/19
Address: 49 Edgewater Boulevard
Applicant: J. Laurie Young

This matter relates to a minor variance application submitted by J. Laurie Young, 750 Fife's Bay Road, Selwyn, Ontario K9J 6X4, as applicant on behalf of Michael Williams and Reanna Montopoli, 1881 Mapleridge Drive, Peterborough, Ontario K9K 1R1, 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 Edgewater Boulevard streetline from 6 metres to 3.3 metres for the dwelling and reduce the minimum building setback from the Edgewater Boulevard streetline from 6 metres to 1.6 metres for a verandah, to facilitate the construction of a new two storey dwelling.

Ms. Young, Mr. Williams and Ms. Montopoli attended the meeting and addressed the Committee as follows:

- The property currently supports a small bungalow with no foundation. The owners have purchased the land with the intent of demolishing the existing building and constructing a modest, two storey home.
- The property is a corner lot in a transitional neighbourhood, and they were mindful of the property's context in the design. The second storey is stepped back a couple of feet and the appearance of the house is softened with a wrap around verandah. They have also kept the height of the garage that faces Bruce Street at a storey and a half.
- She has been in contact with Peterborough Distribution Inc. regarding their concern with the hydro poles, and the owners have agreed to follow their direction and incur the cost for the relocation.

Ms. Christie Gilbertson, Planner, Policy and Research, advised that she had nothing further to add to the information presented in the 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 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 variances are granted to reduce the minimum building setback from the Edgewater Boulevard streetline to 1.6 metres for the covered verandah and 3.3 metres for the dwelling CONDITIONAL UPON the review and approval of final elevations for construction details and materials by the Planner, Urban Design.

6. **File No.:** A08/19
Address: 754 Water Street
Applicant: Youth Emergency Shelter of Peterborough Incorporated

This matter relates to a minor variance application submitted by Youth Emergency Shelter of Peterborough Inc., 196 Brock Street, Peterborough, Ontario K9H 2P4, 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 rear lot line from 9 metres to 2.9 metres; reduce the minimum lot area per dwelling unit from 230 square metres per unit to 154 square metres per unit; reduce the minimum setback from the centreline of Water Street from 16 metres to 12.33 metres for an accessible ramp; reduce the minimum lot width per dwelling unit from 6 metres per unit to 5 metres per unit; and increase the maximum permitted height from two storeys to three storeys – matching the roofline of the existing structure. The variances are requested to facilitate the construction of an addition onto the existing structure and a reconfiguration of the existing floor plan to support six dwelling units.

Meagan La Plante, Executive Director of Youth Emergency Shelter of Peterborough Inc., attended the meeting and addressed the Committee as follows:

- Ms. La Plante provided the Committee with an overview of the transitional housing program provided at 754 Water Street, known as Abbott House, and how this program benefits their clients and the community.
- Youth Emergency Shelter (YES) staff provide a number of supports for the tenants such as weekly house meetings, lifestyle support and mentoring to help youth with education and employment. The ongoing relationship with the tenants ensures that the neighbourhood is not negatively impacted, and, as a non-profit with a strong community reputation, YES staff have to be responsive in a way that private landlords do not.
- The addition is designed to accommodate an additional six youth to receive support at the property. The minor variances are required to permit the proposed design. YES have worked hard to ensure the design is a match for the neighbourhood context as well as the needs of Abbott House residents. They have partnered with Habitat for Humanity to ensure the build is completed properly, should the variances be approved.
- The property is designated as medium density residential and is located on an intensification corridor. This is the appropriate location for this type of housing that is badly needed in this community.
- YES held a neighbourhood meeting for surrounding residents to provide information about the transitional housing program and to review the plans for the proposed addition. She also met individually with two neighbours to discuss their concerns in more depth.
- They are seeking a reduction to the setback from the rear lot line to ensure that the addition is directly behind the existing structure. This maintains sight lines from Water Street and allows for the retention of an attractive original garage on the property.
- There is an approximately 12 foot wide laneway between the property and those to the rear, allowing for additional space beyond the rear lot line. Structures established close to the laneway are common in the neighbourhood.
- The request to increase the maximum height will allow YES to build the addition to the same height of the original dwelling and other buildings in the neighbourhood. Although there has been a concern raised regarding the height, it is consistent with the established standard. The window in the dormer at the top of the addition has a small window in a stairwell and wouldn't present a privacy issue for the neighbours to the rear.
- The variances to the lot area per unit and lot width per unit will allow the residents to be housed in appropriately sized units. The increase to the number of units does not impact the number of people housed in the property, but ensures that the participants needs and the community's housing needs are met by adding bachelor units and one and two bedroom apartments.
- Another variance is requested to permit the construction of an accessibility ramp so that people with accessibility needs are not excluded.

- Concerns have been raised regarding the impact on wildlife. However, the proposed area for the addition is already a disturbed area, and no trees will be removed. All ORCA recommendations will be followed.
- The majority of the neighbourhood is covered with mature trees and two to three storey buildings, and the addition will not have a significant impact on shadowing and sunlight.
- The proposed addition meets the goals of the Official Plan and the Housing and Homelessness Plan for the City and will be a positive addition to the neighbourhood.

Neil Campbell of Aside Architects, 148 Hunter Street West, Suite 20, Peterborough, Ontario K9H 2K8, attended the meeting and addressed the Committee as follows:

- His firm has been working with YES Shelter on the design for the addition to 754 Water Street.
- The property is designated medium density residential and is located on an intensification corridor. Water Street is a main street close to downtown and is an ideal location for this kind of housing. YES Shelter is a longstanding organization and has been well received in the neighbourhood to date.
- The design for the addition was arrived at through extensive consultation with the YES Board of Directors, other stakeholders, and the City. They have designed units with separate staircases so that the units can operate independently and the existing residence can be a standalone dwelling.
- The variance to permit an increase in height will allow the addition to be constructed at the same height as the existing building. It is important that the addition compliment the existing Empire style building. Extending the roofline will avoid compromising the appearance of the original structure.
- Although they were aware that there may be some concern regarding the request to reduce the rear yard setback, the three metre wide laneway increases the distance to neighbouring rear lot lines to six metres. The neighbours to the rear have an approximately 20 foot high row of cedar hedges bookended by relatively tall garages that already block light from this direction. This is the best location on the property for the addition since the side yard setbacks are located to the south and north and the shading along the side lot lines becomes far more, or as important, as the rear yard setback. By placing the addition in the proposed location, we were equidistant on all three sides, and the rear yard setback makes sense in that context.
- In respect to privacy concerns, the principal rooms and bedrooms have views to the south and north where the longer setbacks are located. To the rear are stairwell windows, a bathroom window and a kitchen window, and the main views are not to the rear. They tried to take into consideration all aspects of the existing house in the context of surrounding dwellings to fulfill the much needed program from YES shelter.

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 Planning & Development Services Department, City of Peterborough.

Further to the information contained in the Staff Report, Ms. Gilbertson advised that the property is located on an intensification corridor and the medium density residential designation in the Official Plan contemplates up to 75 dwelling units per hectare, with a maximum building height of up to five storeys. The Official Plan contains infill housing policies that support additional units where land is underutilized. She further noted that the proposal results in about 65 dwelling units per hectare in a three storey building.

The Chair read letters in support of the application from the following persons into the record:

- i) Sara Whitehead, 33 Dennistoun Avenue, Peterborough, Ontario K9H 5P8
- ii) Evan Bates & Liz Spang, owners of 19 Dennistoun Avenue, Peterborough, Ontario K9H 5P8
- iii) Joanne Hipkin, 212 Prince Street, Peterborough, ON K9J 2A4

The following persons attended the meeting and addressed the Committee in respect to this application:

- i) Kent Randall, a Planner with Ecovue Consulting Services Inc., 311 George Street North, Suite 200, Peterborough, Ontario K9J 3H3, spoke in opposition to the application on behalf of Jose Botero and Ernie Salac, 11 Dennistoun Avenue, Peterborough, Ontario K9H 5P8. Mr. Randall expressed concerns related to the extent of the requested relief from the minimum rear yard setback, the height of the proposed addition and the potential for impact of the addition on shadowing and privacy. Mr. Randall requested a deferral so that his clients could discuss modifications to the design with the applicant.
- ii) Ernie Salac, 11 Dennistoun Avenue, Peterborough, Ontario K9H 5P8 spoke in opposition to the application and expressed concerns related to the reduction to the required minimum building setback from the rear lot line and the increase to the maximum permitted height. Mr. Salac stated that he felt that the proposed addition would impact stormwater runoff, his enjoyment of his rear yard, and impact property values.
- iii) Peter Williams, 15 Dennistoun Avenue, Peterborough, Ontario K9H 5P8 spoke in support of the application.
- iv) Brian Kelly, 2568 Burnham Line, Otonabee, Ontario K9J 0G6, spoke on behalf of Habitat for Humanity, Peterborough and Kawartha Region in support of the application.
- v) David McNab, owner of 746 George Street North, Peterborough, Ontario K9H 3T3, spoke in opposition to the application and expressed concerns with shading, privacy and the potential for similar developments on other properties if the application is approved.
- vi) Shannon Culkeen, 15 Cluxton Street, Peterborough, Ontario K9H 4Y9 spoke in support of the application.

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

- The assessment of an application for a minor variance is not based on a percentage difference from the standard in the Zoning By-law but is evaluated using a number of factors such as compatibility and impact.

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

- He believes he clients would be content with a variation of the design that respects the rear yard set back or a reduced variance with an increased setback from what is proposed. If the Committee would consider deferring the application, his clients would have an opportunity to give feedback on the design.
- His client has advised him that he has met several times with the applicant. He is proposing time for additional discussions.

Decision

The Committee heard from members of the public concerning the application and gave due consideration and weight to the comments made and received. The Committee considered the concerns relating to the reduced building setback from the rear lot line and concluded that granting the variance would not have a significant impact on the neighbouring properties on Dennistoun Avenue due to the additional separation distance provided by the laneway at the rear of the property. The Committee was satisfied that any concerns related to storm water management would be addressed through the Site Plan Approval process, as recommended in the Staff Report.

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 variances are granted as follows:

- a) **A reduction to the minimum building setback from the rear lot line to 2.9 metres for an addition;**
- b) **A reduction to the minimum lot area per dwelling unit to 154 square metres per unit;**
- c) **A reduction to the minimum building setback from the centreline of Water Street to 12.33 metres for an accessible ramp;**
- d) **A reduction to the minimum lot width per dwelling unit to 5 metres per unit; and**
- e) **An increase to the maximum number of storeys to 3 storeys, matching the roofline of the existing structure.**

Conditional upon the owner entering into a Site Plan Agreement with the City to address lot grading and drainage, servicing and stormwater management.

7. **File No.: A09/19
Address: 1052 Rippingale Trail
Applicant: Mason Homes Ltd.**

This matter relates to a minor variance application submitted by Mason Homes Ltd., 1-70 Innovator Drive, Stouffville, Ontario L4A 0Y2, as applicant on behalf of 2064086 Ontario Ltd., 1-70 Innovator Drive, Stouffville, Ontario L4A 0Y2, 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 rear lot line from 6 metres to 1.3 metres for the house and reduce the minimum building setback from the rear lot line from 6 metres to 1.27 metres for the deck to facilitate the construction of a single unit dwelling.

The Applicant was not in attendance.

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 Planning & Development 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 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 variances are granted as follows:

- a) **A reduction to the minimum building setback from the westerly rear lot line to 1.3 metres for the dwelling, as depicted on Exhibit G of the Staff Report dated February 5, 2019; and**
 - b) **A reduction to the minimum building setback from the westernmost rear lot line to 1.27 metres for the deck, as depicted on Exhibit G of the Staff Report dated February 5, 2019.**
8. **File No.: A10/19**
Address: 285 Perry Street
Applicant: 1950963 Ontario Inc.

This matter relates to a minor variance application submitted by 1950963 Ontario Inc., 1298 County Road 4, Douro-Dummer, Ontario K0L 3A0, the owner of the property that is the subject of the application.

The purpose of the application is to increase the maximum building coverage from 30% to 31%; increase the maximum number of storeys from 2 to 3; reduce the minimum width of landscaped open space along the lot line from 1.5 metres to 0.3 metres; increase the maximum floor area per commercial purpose from 140 square metres to 180 square metres; reduce the minimum required number of parking spaces from 1.5 per unit to 1 per unit; reduce the minimum parking stall length from 5.7 metres to 5.5 metres; reduce the minimum building setback from the centreline of Park Street from 16 metres to 13 metres; and reduce the minimum building setback from the Perry Street streetline from 6 metres to 1 metre to facilitate the development of the vacant lot into a construction design showroom with two dwelling units above. The applicant is also requesting permission to use the lands for a construction design showroom in the main floor and basement of the proposed new building.

Steve Munroe, the owner of 1950963 Ontario Inc., attended the meeting and addressed the Committee as follows:

- He is proposing to construct a building to use as a storefront for his company with two residential apartments in the upper floors.

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

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

Decision

In respect to the application for Minor Variances:

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 variances are granted as follows:

- a) **An increase to the maximum building coverage to 31%;**
- b) **An increase to the maximum number of storeys to 3;**
- c) **A reduction to the minimum width of landscaped open space along the side lot lines to 0.3 metres;**
- d) **An increase to the maximum floor area per commercial purpose to 180 square metres;**
- e) **A reduction to the minimum number of required parking spaces to 1 per unit;**
- f) **A reduction to the minimum parking stall length to 5.5 metres;**
- g) **A reduction to the minimum building setback from the centreline of Park Street to 13 metres; and**
- h) **A reduction to the minimum building setback from the Perry Street streetline to 1 metre.**

Conditional upon Site Plan Approval to address the site details, including the selection of building materials, to the satisfaction of the Planner, Urban Design.

In respect to the application for Permission:

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 proposal is desirable for an appropriate development of the subject property and that the application should be approved as per the Staff Recommendation.

Therefore, permission is granted to use the main floor and basement of the building as a construction design showroom as a use that conforms with the upholstery shop use permitted by the Zoning By-law CONDITIONAL UPON Site Plan Approval to address the site details, including the selection of building materials, to the satisfaction of the Planner, Urban Design.

Minutes

Ms. Brenda Campbell indicated that the list of members present at the January 22, 2019 hearing identified Mr. Mauro DiCarlo incorrectly as chair.

The minutes were amended to reflect the correction.

Moved by Brenda Campbell

That the minutes of the Committee of Adjustment hearing held on January 22, 2019 be approved, as amended.

“CARRIED”

Other Business

There were no items of other business.

Next Meeting

The next meeting of the Committee of Adjustment is scheduled for Tuesday, March 5, 2019.

Adjournment

The meeting was adjourned at 7:31 p.m.

(Sgd.) Mauro DiCarlo, Vice Chair

(Sgd.) Jennifer Sawatzky, Secretary-Treasurer