



City of
Peterborough

Committee of Adjustment Minutes

March 1, 2022

Minutes of an Electronic Meeting of the Committee of Adjustment held on Tuesday, March 1, 2022 at 6:00 p.m.

Present: Stewart Hamilton, Chair
Mauro DiCarlo
Claude Dufresne
Tom Green

Regrets: Robert Short

Also Present: Christie Gilbertson, Planner, Policy and Research
Andrea Stillman, Zoning Administrator
Jennifer Sawatzky, Secretary-Treasurer
Nolan Drumm, Assistant Planner

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

Disclosure of Pecuniary Interest

There were no disclosures of Pecuniary Interest.

Applications

1. File No., A06/22, 92 Dufferin Street

This matter relates to a minor variance application submitted by Spotlight Home and Lifestyle, as applicant on behalf of Alison McLaren and Ian Jeffrey, 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 west side lot line from 1.2 metres to 0.84 metres to facilitate the construction of a second storey addition.

Garnet Northey of Spotlight Home and Lifestyle attended the meeting and addressed the Committee as follows:

- The owners require the minor variance for a second storey addition at the same setback as the existing house, with no further encroachment into the setback than what currently exists.
- Letters in support of the proposal were submitted with the application from 10 to 12 neighbouring property owners, including the neighbour directly impacted by the addition.
- He has read the Staff Report and reviewed the proposed conditions.

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.

Moved by Mauro DiCarlo

That the application be approved in accordance with the recommendation in the Staff Report.

“CARRIED”

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 Section 7.2(e)(i) of the Zoning By-law to reduce the minimum building setback from the west side lot line to 0.84 metres for a second storey addition on the footprint of the existing dwelling PROVIDED THAT construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit A to the Staff Report dated March 1, 2022.

2. File No., A07/22, 361 Aberdeen Avenue

This matter relates to a minor variance application submitted by Christopher Kemp, CK Contracting, as applicant on behalf of Dianne McKay, the owner of the property that is the subject of the application.

The applicant proposed to reduce the minimum building setback from the Aberdeen Street street line from 6 metres to 3.5 metres to facilitate the construction of covered, unenclosed front porch across the front of the existing dwelling. Following a review of the application and supporting documents, it was found that the actual setback of the proposed porch from the street line is 4.3 metres, and the applicant amended their request to be in line with the correct setback.

Christopher Kemp attended the meeting and addressed the Committee as follows:

- The application is to permit the construction of a new, covered front porch, which will be approximately 12" larger than the existing concrete stoop.
- He has not read the Staff Report, as he was not able to open the link to the report.

Christie Gilbertson, Planner, Policy and Research, provided a summary of the Staff Report, staff's recommendation to the Committee, and the proposed provisos.

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

Moved by Claude Dufresne

That the application be approved in accordance with the recommendation in the Staff Report.

"CARRIED"

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 Section 6.11(a) of the Zoning By-law to reduce the minimum building setback from the Aberdeen Street street line to 4.3 metres to facilitate the construction of covered, unenclosed front porch across the front of the existing dwelling PROVIDED THAT construction related to this approval proceeds substantially in accordance with the concept plan attached as Exhibit B to the Staff Report dated March 1, 2022 and that any alterations to existing lot grading patterns or roof drainage will not adversely impact adjoining properties.

3. File No., A08/22, 925 Water Street

This matter relates to a minor variance application submitted by Brian Buchardt, as applicant on behalf of DeafBlind Ontario Services, the owner of the property that is the subject of the application.

The purpose of the application is to reduce the minimum setback from the centreline of Water Street from 24.4 metres to 22.4 metres; increase the allowable projection of a platform into the setback from the centreline of Water Street from 1.5 metres to 5.4 metres to permit a portion of the proposed stairs to be 19 metres from the centreline; reduce the minimum distance between a motor vehicle parking space or driveway to the window of a habitable room in an apartment dwelling from 6 metres to 3 metres; reduce the minimum number of required parking spaces for a 6 unit dwelling from 11 to 8; and to reduce the minimum lot area from 7,450 square metres to 3,348 square metres to facilitate the addition of two new dwelling units to the existing four-unit apartment dwelling and an addition that will accommodate an elevator.

Brian Buchardt attended the meeting and addressed the Committee as follows:

- DeafBlind Ontario Services require two additional units at this location, as well as access improvements to building, including an elevator shaft. Due to the layout of the site, the addition must be located towards the front of the building. The variances to the setback from Water Street, the projection into the setback for the stairs and the distance between the existing small parking area and the window in the proposed addition all result from the requirement to place the addition where it is proposed.
- They are proposing to reduce the number of parking spaces from 11 to 8. During the time the building has been used as a four-unit dwelling, usually only three parking spaces have been utilized at a time, primarily from staff members.
- The request to reduce the minimum lot area resulted from the severance and sale of the land from the City to a past property owner. This regulation was not addressed at that time.
- In attendance from DeafBlind Ontario, are Roxanna Spruyt, CEO, Osnat Dash Addi, Director of Finance, and Josie Quinn, Manager of Facilities and Information Technology. Also in attendance is Gregg Gordon from Gregg Gordon Architect.

Christie Gilbertson, Planner, Policy and Research, noted that elevations were provided by the applicant the day of the hearing and shared the elevations with the Committee members.

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

In response to a question from the Committee, Josie Quinn advised that the proposed garage adjacent to the parking area will be used for storage of outdoor equipment. It is not intended for vehicle parking.

Moved by Tom Green

That the application be approved in accordance with the recommendation in the Staff Report.

“CARRIED”

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, variances are granted as follows:

- a) **A variance to Section 6.7 to reduce the minimum setback from the centreline of Water Street to 22.4 metres for the addition;**
- b) **A variance to Section 6.1.9 (b) to increase the allowable projection of a platform into the setback from the centreline of Water Street to 5.4 metres to permit a portion of the proposed stairs at 19 metres from the centreline;**
- c) **A variance to Section 4.3.2 (c) to reduce the minimum distance between a motor vehicle parking space or driveway to the window of a habitable room in an apartment dwelling to 3 metres;**
- d) **A variance to Section 4.2 (a) to reduce the minimum number of required parking spaces for a 6 unit dwelling to 8; and**
- e) **A variance to Section 284.3 (a) to reduce the minimum lot area to 3,348 square metres.**

PROVIDED THAT construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit C to the Staff Report dated March 1, 2022 and CONDITIONAL UPON approval of the Site Plan Amendment application and submission of a Lot Grading and Drainage Plan in conjunction with the Building Permit Application.

4. File No., A09/22, 3969 Wallace Point Road

This matter relates to a minor variance application submitted by Jesse Wilson, Kaila Wilson, and Justen Wilson, the owners of the property that is the subject of the application.

The purpose of the application is to obtain a variance from Section 8.2.11 of the Township of Otonabee Zoning By-law to allow the maximum number of dwellings per lot to be two to permit the conversion of the existing barn into an additional dwelling unit.

Jesse Wilson attended the meeting and addressed the Committee as follows:

- The property was purchased with the intention of having two families living on the property. The zoning district allows two dwelling units, and they would like to convert the heritage barn into a second dwelling instead of putting an addition on the house.
- He has been in contact with Otonabee Conservation and the Building Division, and all requirements are met with the exception of the regulation limiting the number of dwellings to one.
- He has read the Staff Report and the recommendation to the Committee.
- He has already been in contact with Peterborough Public Health with respect to the septic system and will follow up once the variance is in place.

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 a question from the Committee, the applicant advised that a severance was considered, but they chose to proceed with the minor variance application to allow two dwellings on the lot.

Moved by Claude Dufresne

That the application be approved in accordance with the recommendation in the Staff Report.

“CARRIED”

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 from Section 8.2.11 of the Township of Otonabee Zoning By-law to allow the maximum number of dwellings per lot to be two, to permit the conversion of the existing barn into an additional dwelling unit PROVIDED THAT construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit D to the Staff Report dated March 1, 2022 and CONDITIONAL UPON the owner providing either a permit from Peterborough Public Health to construct a new septic system or confirmation from Peterborough Public Health that the existing septic system meets the capacity for the proposed development.

Minutes

Moved by Claude Dufresne

That the minutes of the Committee of Adjustment hearing held on February 1, 2022 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 Tuesday, March 29, 2022.

Adjournment

The meeting was adjourned at 6:30 p.m.

(Sgd.) Stewart Hamilton, Chair

(Sgd.) Jennifer Sawatzky, Secretary-Treasurer