



City of
Peterborough

Committee of Adjustment Report for October 5, 2021

Staff Recommendations Regarding Files: A41/21 and A42/21

- File Number: A41/21, 26 Krogh Road**
Applicant: Chris Page and Lori Page
Owner: Chris Page and Lori Page

Background

The subject property is located on the Otonabee River in the southernmost part of the City, on lands that were part of the former Otonabee-South Monaghan Township, annexed into the City in 2008. As part of the Annexation Agreement with the City, the Zoning By-law and Official Plan Designations that were applicable at the time apply to the subject lands. The property currently supports a one and a half storey dwelling that was built in 2016. The property is accessed by Krogh Road, which is a right-of-way that runs along the south side of the neighbouring properties. The property is zoned Hazard Land (HL) and Seasonal Residential (RS) in the Otonabee-South Monaghan Zoning By-law (12-79) and is Designated 'Environmental Protection' in the Township's Official Plan.

The applicant is seeking a minor variance from Section 8 (2)(h)(i) of the Township of Otonabee Zoning By-law (12-79) to reduce the minimum building setback from a side lot line of a main building from 3 metres to 0.597 metres to facilitate the construction of an attached garage with loft at the subject property.

The application was supported by a Conceptual Site Plan (Exhibit A) depicting the present layout of the dwelling on the property and proposed attached garage and loft. Following agency and public circulation, the applicant has agreed to revise their request to seek a 0.9 metre setback from the east side lot line. A revised concept plan was not available at the time of writing this report, however, in consideration of the original submission plan (Exhibit A) staff is of the opinion that increasing the setback to 0.9 metres will mitigate possible issues that could arise from the lesser setback.

The proposed garage will be located where the property owners currently park their vehicles. It will be required to have an interior dimension that will be able to support two parking spaces as per the Zoning By-law and cannot impede the right-of-way present on the subject property for the properties to the north/east. It will be located adjacent to the neighbouring property's detached three car garage. Staff has considered the request for the lesser variance and is of the opinion that the requested variance is minor in nature and represents a desirable and appropriate use of the land.

Side yard setbacks are present in Zoning By-laws to facilitate the appropriate separation between structures on different properties, ensuring sufficient access can be obtained for maintenance of structures. The location of this structure on site, although within close proximity to the site lot line, will only be for the garage portion of the dwelling, and access to maintain the structure can be easily obtained. The co-location of the attached garage within the same proximity of the neighbouring detached three car garage will minimize any impacts arising from its close location to the side lot line.

The former Township's Official Plan assigned the 'Environmental Protection' designation to this property and others within its vicinity. This designation is used for lands with potential hazardous lands, natural heritage features or human made contamination. Uses are limited in this designation. The boundaries are intended to be approximate, and the intention is they be better delineated within the Zoning By-law, which is the case for this property, having split Hazard Land and Seasonal Residential Zoning. The Otonabee Region Conservation Authority has been consulted on this proposal, and they do not have a concern related to their mandates, particularly natural hazard and natural heritage as the proposed addition is located wholly outside these areas of concern.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) has reviewed the application and has indicated that the proposed development is located outside of the floodplain and/or erosion hazard and that ORCA is satisfied that the proposed is consistent with Section 3.1 (Natural Hazard) of the Provincial Policy Statement (PPS). The proposed development is located outside of the 20 metres of a Natural Heritage Feature (the Otonabee River) and therefore, in ORCA's opinion, the application is consistent with Sections 2.1 (Natural Heritage) and 2.2 (Water) of the PPS. Permits from ORCA are not required for the proposed construction. The subject property is located outside of an area that is subject to the policies contained in the Source Protection Plan.

Peterborough Utilities Group Services (PUG) has reviewed the application and has no comment.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within their permit control area, therefore, MTO has no comments.

The City's Engineering Design & Construction Technologist/Inspector has provided comment on this application and has indicated that a partial grading plan of the lot should be required to demonstrate positive drainage in the area of the reduced setback along the side lot line.

The City's Planner, Urban Design has provided comment and has indicated there is no site plan registered on the lands, the lands fall within the Airport Obstacle Limit and ORCA regulated lands. They recommend a minimum of 0.9 metre setback from the side lot line, as the proposed reduced setback would not allow the owner to maintain their property without encroachment onto the neighbouring lands. They have also indicated that the plan should demonstrate that the required number of parking spaces can be accommodated on site.

Recommendation

Staff recommends that the Committee of Adjustment **approve the revised request** for a minor variance provided that the use of the second storey loft is limited to a storage area and is not converted to habitable living space and that construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit A for an attached garage with storage loft, revised to a 0.9 metre setback from the east side lot line and conditional upon:

- i) Submission and approval of a partial grading plan to the satisfaction of the Development Engineer to demonstrate positive drainage in the area of the reduced setback along the side lot line.
- ii) Submission of a concept site plan and interior layout of the garage that demonstrates that two 6 metre by 3 metre parking spaces, as required by the Township Zoning By-law can be achieved in the interior of the garage.

2. File Number: A42/21, 562 Clancy Crescent Applicant: Kylie Szczebonski Owner: Kylie Szczebonski

Background

The subject property is located in the southwest portion of the City. The property is developed with a single detached dwelling. The property is zoned R.1-162 and is designated 'Residential' on Schedule A 'Land Use' in the City's Official Plan. The property is an irregular pie shaped lot.

The applicant is requesting a variance from section 6.19(b) of the City of Peterborough's Zoning By-law to allow a platform to extend 3.66 metres into a building setback from a rear lot line to allow the southeast corner of the existing platform to be 3.94 metres from the rear lot line (as opposed to 4.6 metres).

A site plan (Exhibit B) was submitted along with the application depicting the location of the platform in relation to the dwelling and lot lines. Due to the angle of the rear lot line, only a small portion of the east corner of the deck is non-compliant with the required setback of 4.6 metres. The rest of the deck is within a compliant placement. Staff has reviewed the site plan provided and is of the opinion that the requested variance is minor in nature and represents a desirable and appropriate use of the land.

The purpose of the 'Residential' designation is to "provide areas for housing and other land uses that are integral to, and supportive of a residential environment." The proposed variance is needed to legalize the location of an existing platform at the rear of a dwelling. The proposed maintains the intent and purpose of the Official Plan.

Agency Comment

The Otonabee Region Conservation Authority (ORCA) reviewed the application and notes that the proposal is consistent with Section 2.1 (Natural Heritage), 2.2 (Water), and 3.1 (Natural Hazard) of the Provincial Policy Statement. The property is located outside of ORCA's regulated area, so a permit from the Authority is not required. The subject property is not located in an area subject to the policies of the Trent Source Protection Plan.

Peterborough Utilities Group Services (PUG) has reviewed the application and has no comment.

The Ontario Ministry of Transportation (MTO) has reviewed the application and has determined that the subject lands are not within their permit control area, therefore, MTO has no comments.

The City's Engineering Design & Construction Technologist/Inspector has reviewed the application and has no issues with the proposed.

The City's Planner, Urban Design has reviewed the application and has indicated that there is no site plan registered on the subject lands and the property is located within the airport obstacle limit.

Recommendation

Staff recommends that the Committee of Adjustment **approve** the application provided that construction related to this approval proceed substantially in accordance with the concept plan attached as Exhibit B.

Prepared By:

Concurred With:

Christie Gilbertson, RPP, MCIP
Planner, Policy and Research,
Planning Division,
Infrastructure and Planning Services

Andrea Stillman
Zoning Administrator
Building Division,
Infrastructure and Planning Services

Summary of Exhibits

The exhibits attached to this report were provided by the applicants and do not meet international standards for web accessibility. A description of each exhibit is provided below.

If you require additional information regarding the exhibits or the applications, contact the Planning Division at 705-742-7777, extension 1880.

Exhibit A

Site Plan A1.1 prepared by Kingdon Timber Mart Design and Drafting dated July 26, 2021

Building Plans, prepared by Kingdon Timber Mart Design and Drafting dated May 6, 2021

Exhibit B

Site Plan, prepared by the applicant.

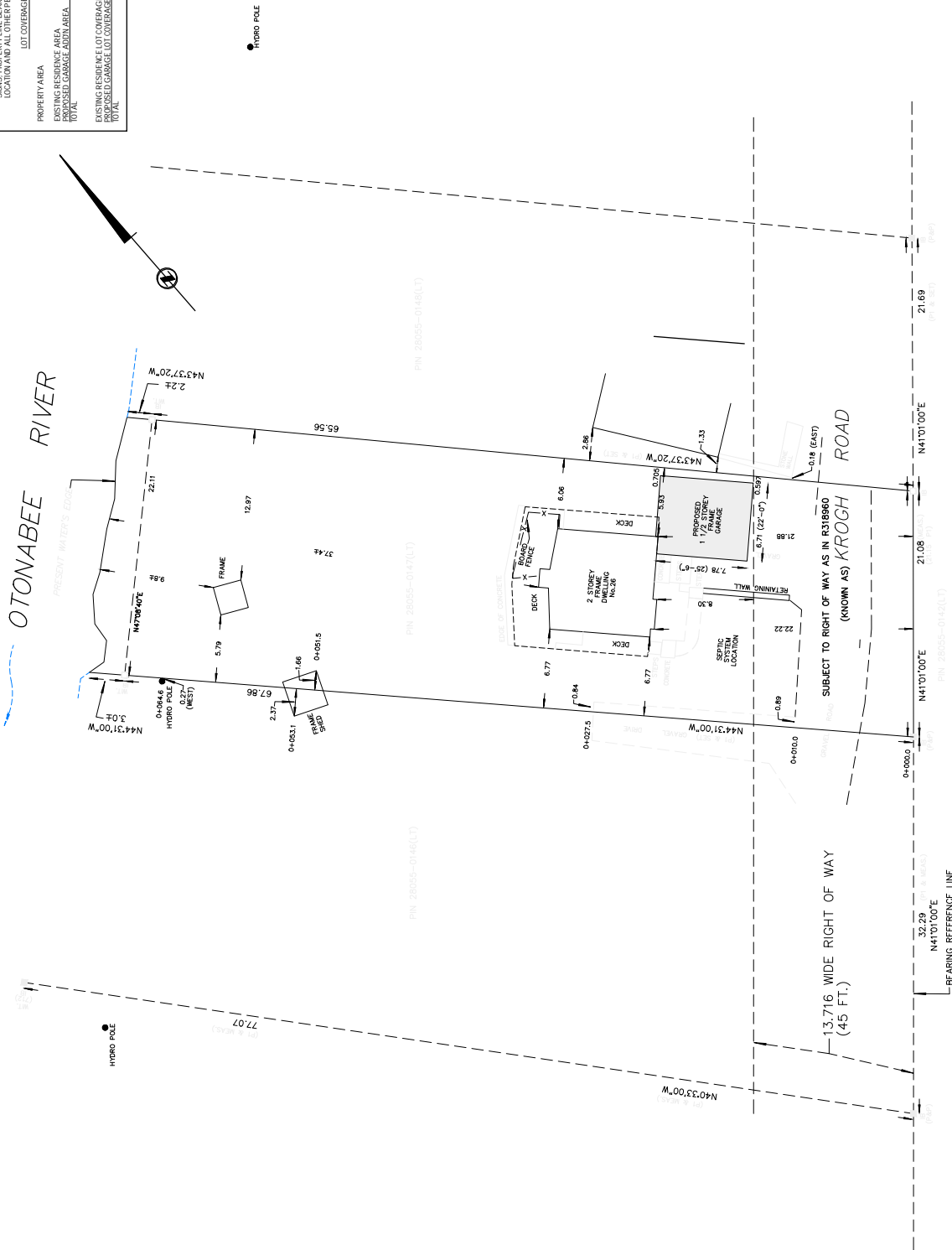
SURVEY INFORMATION

THIS SITE PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES. DIMENSIONS IF ANY ERRORS ARE NOTICED, PLEASE CONTACT KINGDON TIMBER MART AS SOON AS POSSIBLE.

REFER TO ORIGINAL SURVEY FOR ALL LOT DIMENSIONS, PROPERTY LINE BEARINGS, BUILDING LOCATION AND ALL OTHER PERTINENT INFORMATION.

LOT COVERAGE DATA

PROPERTY AREA	149413 m ²	16,082.68 sq. ft.
EXISTING RESIDENCE AREA	78.64 m ²	847.94 ft.
PROPOSED GARAGE AUTOM AREA	53.28 m ²	573.39 ft.
TOTAL	131.92 m ²	1420.94 ft.
EXISTING RESIDENCE LOT COVERAGE		5.21%
PROPOSED GARAGE LOT COVERAGE		3.56%
TOTAL		8.83%



PRELIMINARY
NOT FOR
CONSTRUCTION

KINGDON
TIMBER MART
design & drafting

Landfield Station
Landfield, Ontario, M0L 2H0
ph (705) 748-1144 fax (705) 748-1145
ph (705) 748-1144 fax (705) 748-1145
kingdonstms.com

REVISION RECORD

CD	REV	DESCRIPTION

Proposed Garage Addition
for
Mr. & Mrs. Page
26 Krogh Road
Township of Otonabee/South Monaghan
Ontario

drawing title
Site Plan

drawing no.
A1.1

scale 1:250
date July 2021
job no.
drawn by
reviewed by

PRELIMINARY
NOT FOR
CONSTRUCTION

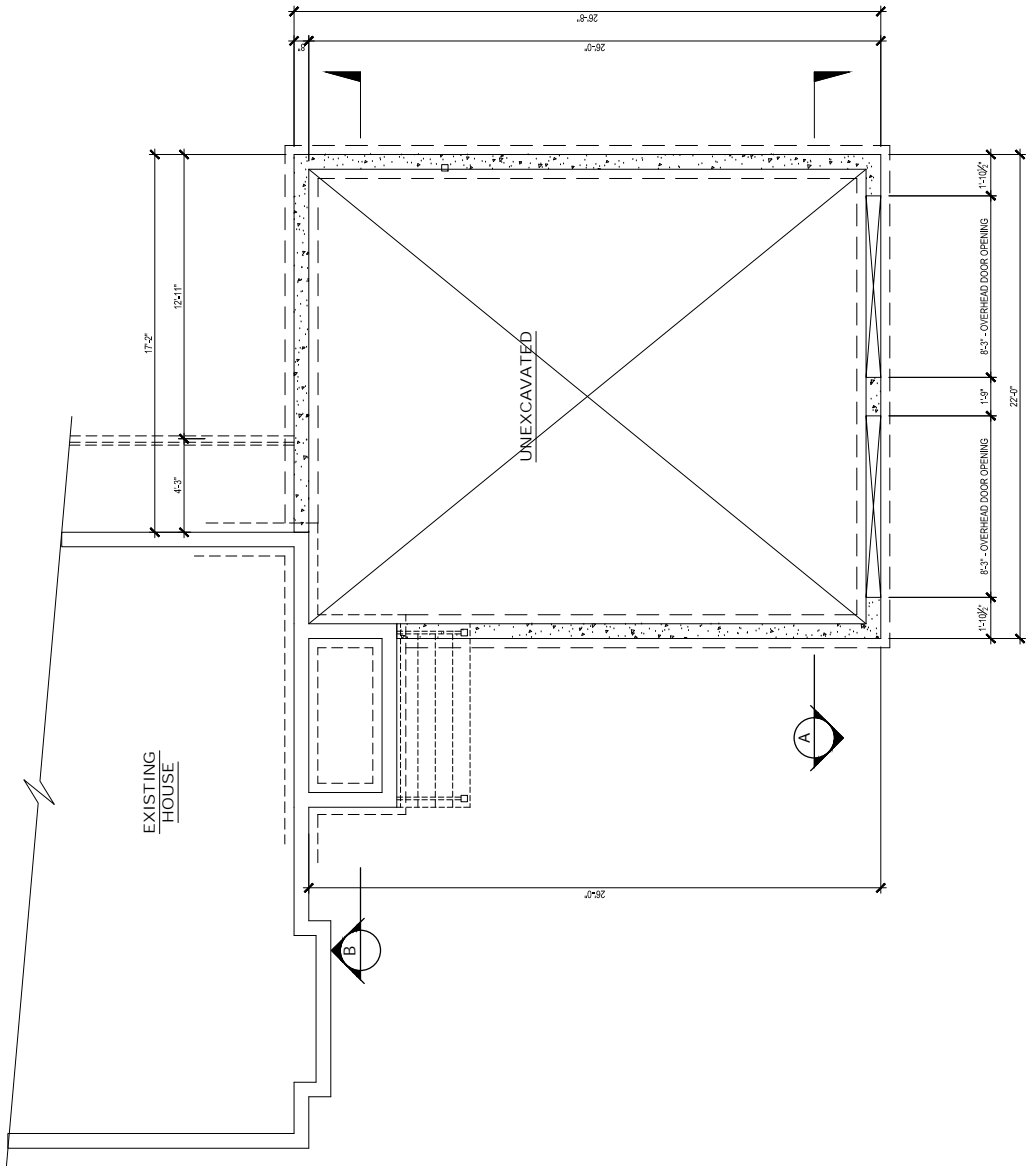
REVISION RECORD	
date	description



design & drafting

Lakeland Street
Lakeland, Ontario K0L 2H0
PH (709) 749-1141 FAX (709) 662-8168
info@kingdon.ca
3004 Lansdowne Street Unit 1
Peterborough, Ontario K9A 1A1
PH (705) 749-1141 FAX (705) 749-1388
kingdon.ca

Proposed Garage Addition for Mr. & Mrs. Page 26 Krough Road Peterborough, Ontario	
drawing title	drawing no.
Frost Wall Plan	A2.1
scale 1/4" = 1'-0"	date May 6/21
drawn by TW	job no. 21-15
	reviewed by TW



FROST WALL PLAN
SCALE: 1/4" = 1'-0"

REVISION RECORD		
date	rev.	description



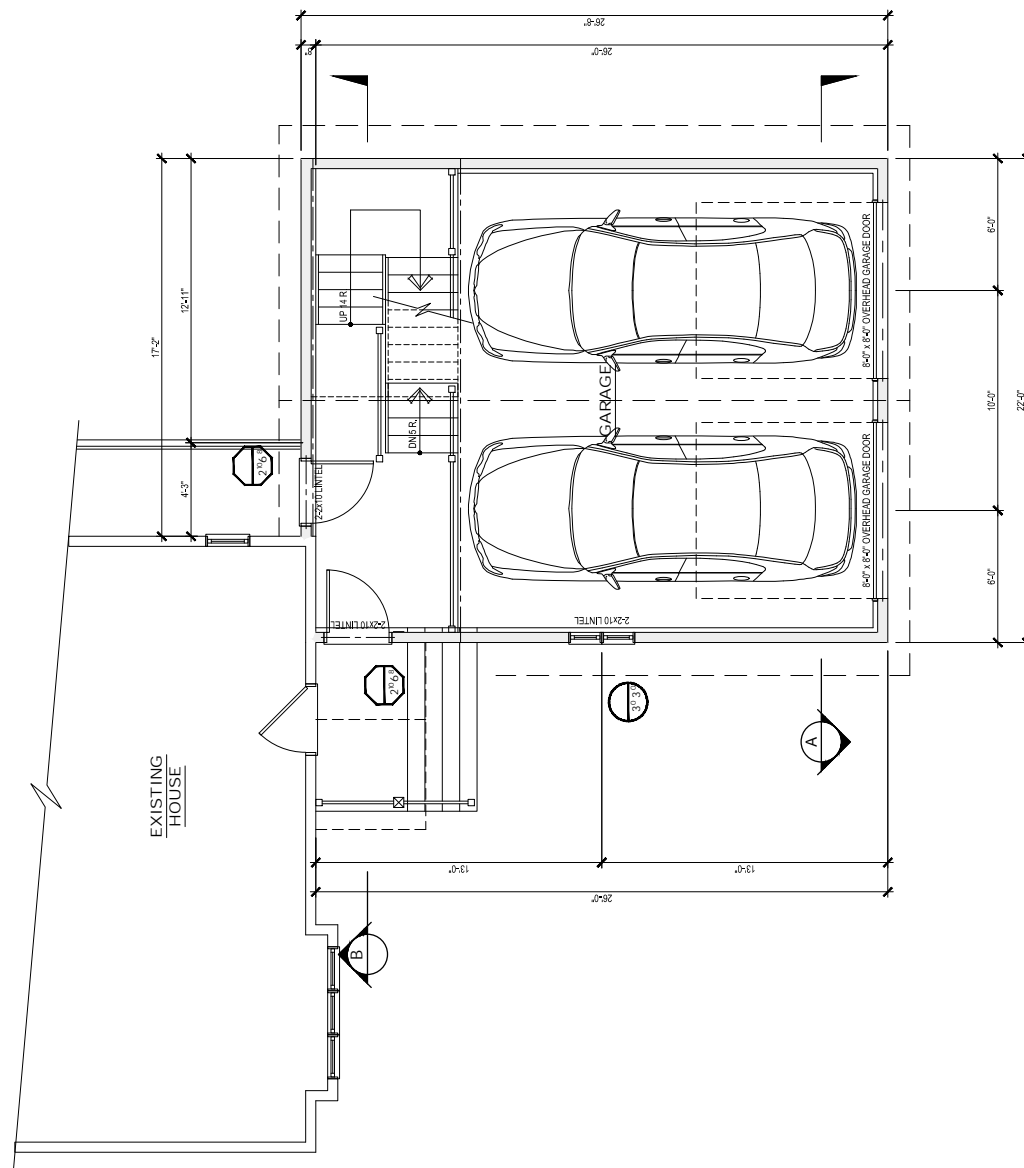
design & drafting
Lakeland Store
1873 8th Line
Lakeland, Ontario, K0L 2H0
ph (705) 652-3361 fax (705) 652-8188

Peterborough Store
309 Lindsay Street East
Peterborough, Ontario, K9L 2A3
ph (705) 749-1144 fax (705) 749-1388

kingdontruss.com

Job description
Proposed Garage Addition
for
Mr. & Mrs. Page
26 Krough Road
Peterborough, Ontario

drawing title	drawing no.
Garage Floor Plan	A2.2
scale 1/4" = 1'-0"	date Apr 28/21
drawn by TW	job no. 21-15
	reviewed by TW



GARAGE FLOOR PLAN
SCALE: 1/4" = 1'-0"

AREA = 584 sq. ft.

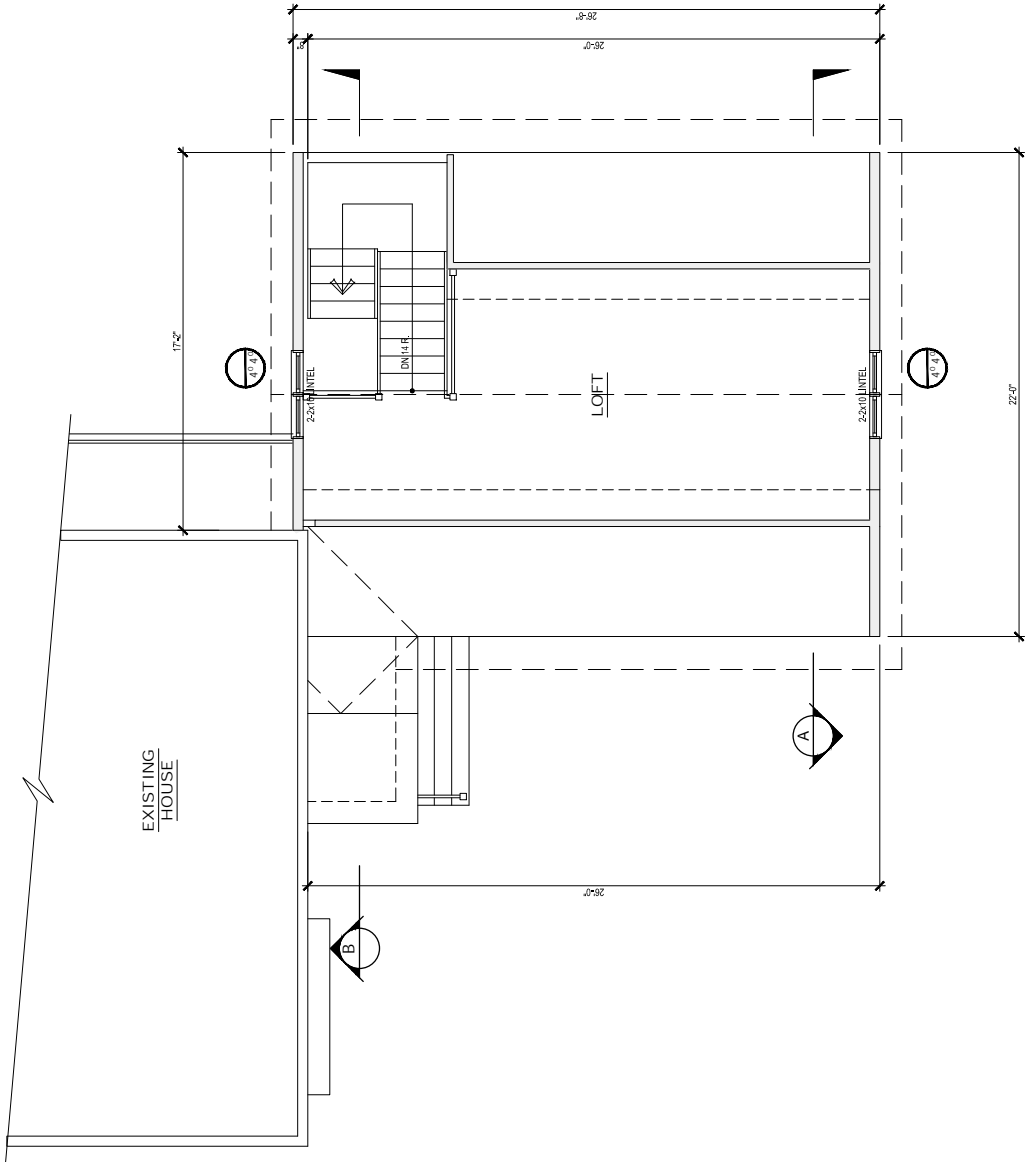
PRELIMINARY
NOT FOR
CONSTRUCTION

REVISION RECORD	
date	description



design & drafting
Lakeside Square
Lakeside Drive
Lakeside, Ontario L4K 2H0
ph (705) 749-1144 fax (705) 662-8188
info@kingdon.ca
3007 Lansdowne Street, Unit 1
Peterborough, Ontario K9A 1A3
ph (705) 749-1144 fax (705) 749-1388
kingdontimbers.com

Proposed Garage Addition for Mr. & Mrs. Page 26 Krough Road Peterborough, Ontario	
drawing title	drawing no.
Loft Floor Plan	A2.3
scale 1/4" = 1'-0"	date May/6/21
drawn by TW	job no. 21-15
	reviewed by TW



LOFT FLOOR PLAN
SCALE: 1/4" = 1'-0"

PRELIMINARY
NOT FOR
CONSTRUCTION

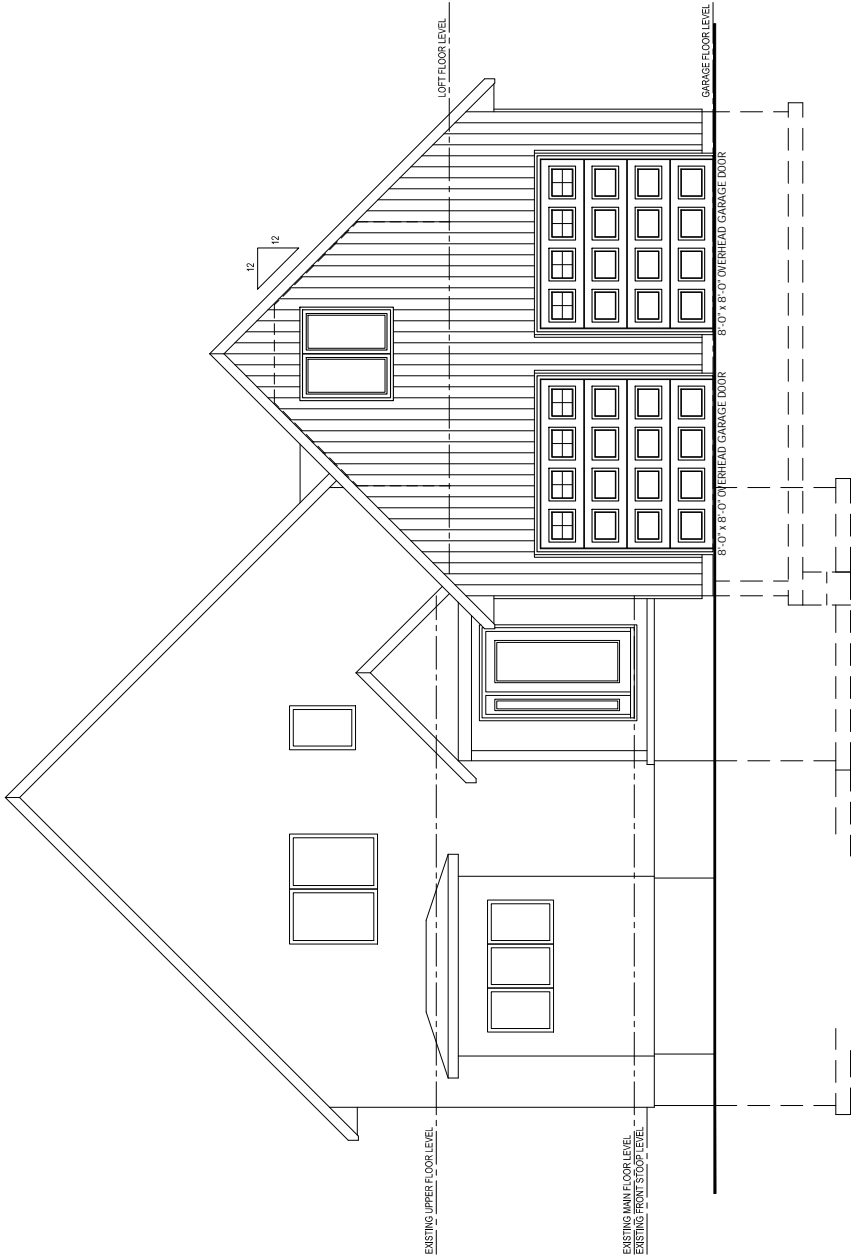
REVISION RECORD	
date	description



**KINGDON
TIMBER MART**
design & drafting

Lakeland Square
Lakeland, Ontario K0L 2H0
ph (709) 822-3351 fax (709) 822-8188
info@kingdon-timbermart.com
3009 Lansdowne Street, Unit 1
Peterborough, Ontario K9A 1A1
ph (705) 749-1144 fax (705) 749-1388
kingdontimbers.com

Proposed Garage Addition for Mr. & Mrs. Page 26 Krough Road Peterborough, Ontario	
drawing title	drawing no.
Front Elevation	A3.1
scale 1/4" = 1'-0"	job no. 21-15
drawn by TW	reviewed by TW



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



GARAGE FLOOR LEVEL

SCALE: 1/4" = 1'-0"



GARAGE FLOOR LEVEL

SCALE: 1/4" = 1'-0"

REVISION RECORD

Lakefield Store
1873 8th Line
Lakefield, Ontario, K0L 2H0
ph (705) 652-3361 fax (705) 652-8188

Peterborough Store
309 Lansdowne Street East
Peterborough, Ontario, K9L 2A3
ph (705) 749-1144 fax (705) 749-1388
kindcontours.com

job description

Mr. & Mrs. Page
26 Krough Road
Peterborough, Ontario

drawing title	drawing no.
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A3.2

scale 1/4" = 1'-0"	date May 6/21	job no. 21-15
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PRELIMINARY
NOT FOR
CONSTRUCTION

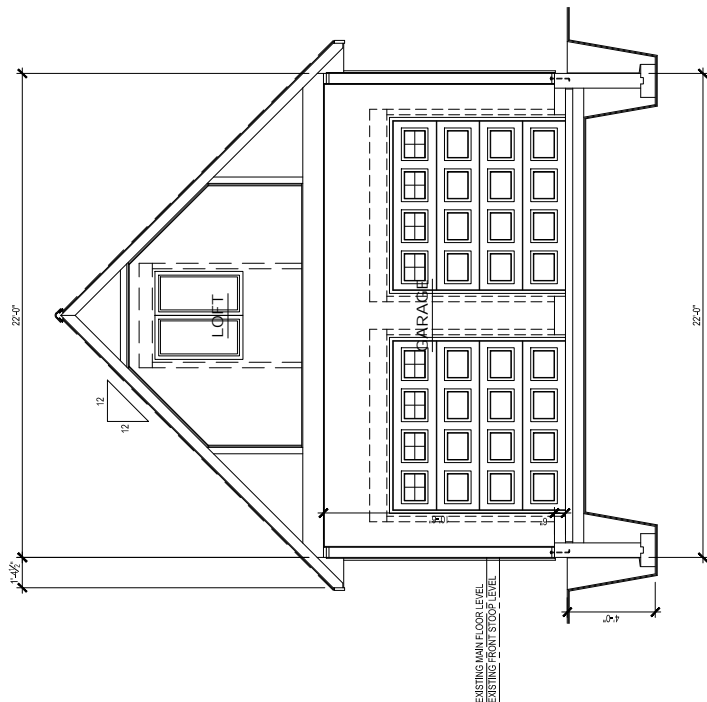
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design & drafting
Lakerfield Store
1873 4th Line
Lakerfield, Ontario, K0L 2H0
ph (705) 652-3361 fax (705) 652-8188

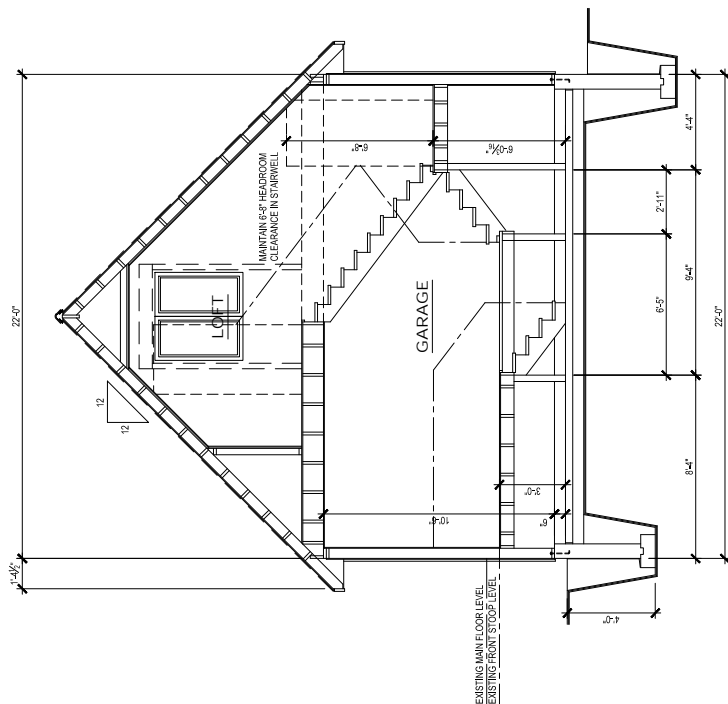
Peterborough Store
309 Lansdowne Street East
Peterborough, Ontario, K9L 2A3
ph (705) 749-1144 fax (705) 749-1388
kingdontrusts.com

job description
Proposed Garage Addition
for
Mr. & Mrs. Page
26 Krough Road
Peterborough, Ontario

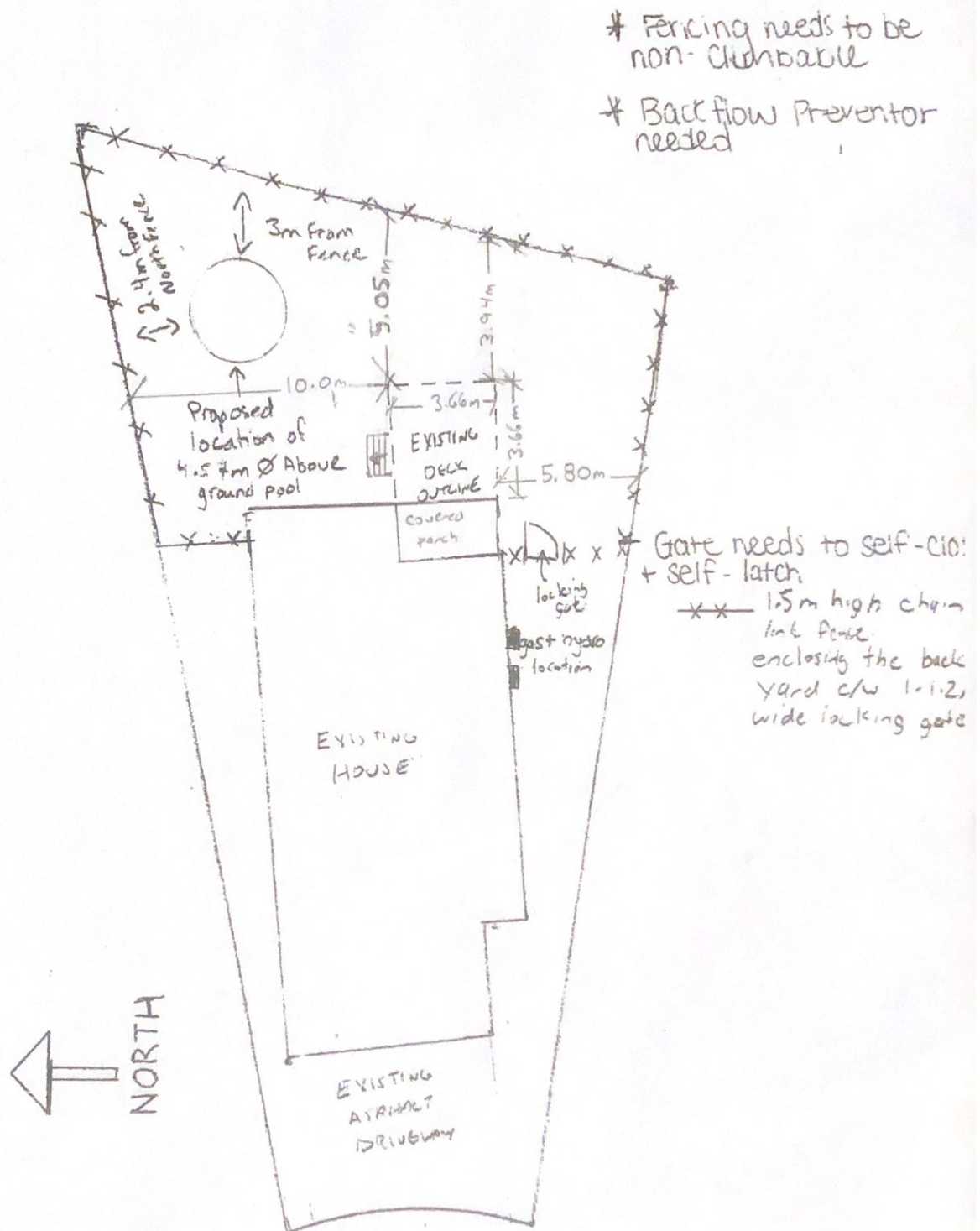
drawing title	drawing no.	
Building Sections	A4.1	
scale 1/4" = 1'-0"	date May 6/21	job no. 21-15
drawn by TW	reviewed by TW	



CROSS SECTION 'B'
SCALE: 1/4" = 1'-0"



CROSS SECTION 'A'
SCALE: 1/4" = 1'-0"



K. SZCZERBONSKI 562 CLANCY CRESCENT.
PROPOSED LOCATION OF 4.57m Ø ABOVE GROUND POOL